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REPORT ON THE TWENTY-NINTH SESSION

(Geneva, 14 January-1 February 2002)

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I. RECOMMENDATION ADOPTED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD

Organization of work

Twenty-ninth session, recommendation

The Committee on the Rights of the Child,

Stressing the crucial importance of periodic reporting by States parties, in conformity with the obligations under article 44 of the Convention on the Rights of the Child, (a) within two years after the entry into force of the Convention for the State party concerned and (b) thereafter every five years,

Noting that many States parties have yet to submit their second periodic report under the Convention,

Acknowledging that at the time of the dialogue with the Committee States parties have updated the information they provided in their initial report in the written replies submitted to the list of issues,

Expressing the need to support States parties in an effort to ensure compliance with the strict time frame established by article 44, paragraph 1, of the Convention,

1. Decides to inform States parties in the related concluding observations adopted by the Committee of the deadline for the submission of their second and, where appropriate, following periodic reports;

2. Decides, therefore, to apply the following rules:

(a) When the second periodic report is due within the year following the dialogue with the Committee, the State party shall be requested to submit that report combined with the third one; this rule also applies, mutatis mutandis, when a similar situation occurs with the third and fourth periodic reports;

(b) When the second periodic report is already due at the time of the dialogue and the third report is due two years or more after the dialogue with the State party, the State party shall be requested to submit the combined second and third reports at the time when the third report is due, as prescribed under the terms of the Convention; this rule also applies, mutatis mutandis, in cases when the second and third reports are due at the time of the dialogue;

3. Stresses that these rules apply only as an exceptional measure, taken for one time only, in an attempt to provide an opportunity for a State party to respect the strict reporting periodicity foreseen in article 44, paragraph 1, of the Convention.

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 1 February 2002, the closing date of the twenty-ninth session of the Committee on the Rights of the Child, there were 191 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in annex I to the present report.

2. As at the same date, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified or acceded to by 13 States parties and signed by 94 States. The Optional Protocol entered into force on 12 February 2002. Also at the same date, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified or acceded to by 16 States parties and signed by 94 States. It entered into force on 18 January 2002. The two Optional Protocols to the Convention were adopted by the General Assembly in resolution 54/263 of 25 May 2000 and opened for signature and ratification or accession in New York on 5 June 2000. A list of States that have signed, ratified or acceded to the two Optional Protocols are contained in annexes II and III to the present report.

3. The texts of the declarations, reservations or objections made by States parties with respect to the Convention are reproduced in document CRC/C/2/Rev.8.

4. As at 1 February 2002, 113 States parties to the Convention had notified the Secretary-General of their acceptance of the amendment to article 43, paragraph 3, of the Convention increasing the membership of the Committee from 10 to 18 members (resolution 50/155); 128 notifications are needed (two thirds of States parties) in order for the amendment to enter into force.

B. Opening and duration of the session

5. The Committee on the Rights of the Child held its twenty-ninth session at the United Nations Office at Geneva from 14 January to 1 February 2002. The Committee held 28 meetings (750th-777th). An account of the Committee's deliberations at its twenty-ninth session is contained in the relevant summary records (CRC/C/SR.750-754; 757-758; 761-766; 769-772 and 777).

C. Membership and attendance

6. All the members of the Committee attended the twenty-ninth session. A list of the members, together with an indication of the duration of their terms of office, is provided in annex IV to the present report. Ms. Amina Hamza El Guindi, Ms. Marilia Sardenberg and Mr. Luigi Citarella were not able to attend the session in its entirety.

7. The following United Nations bodies were represented at the session: Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees (UNHCR).

8. The following specialized agencies were also represented at the session: International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO).

9. Representatives of the following non-governmental organizations were also in attendance at the session:

General consultative status

International Council of Women, International Movement ATD Fourth World, Zonta International.

Special consultative status

Arab Organization for Human Rights, Amnesty International, Coalition against Trafficking in Women, Defence for Children International, International Commission of Jurists, International Confederation of Free Trade Unions, International Confederation of Social Workers, International Federation of Women in Legal Careers, International Federation Terre des Hommes, International Service for Human Rights, World Federation of Methodist and Uniting Church Women, Save the Children Norway, World Organization against Torture.

Others

NGO Group for the Convention on the Rights of the Child, NGO Working Group for Nutrition, International Baby Food Action Network, Greek Helsinki Monitor, Rede da Criaça (Mozambique).

D. Agenda

10. At the 750th meeting, on 14 January 2002, the Committee adopted the following agenda on the basis of the provisional agenda (CRC/C/112):

1. Adoption of the agenda.

2. Organizational matters.

3. Submission of reports by States parties.

4. Consideration of reports of States parties.

5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.

6. Methods of work of the Committee.

7. General comments.

8. Biennial report to the General Assembly.

9. Future meetings.

10. Other matters.

E. Meeting with the United Nations High Commissioner for Human Rights

11. At the opening meeting of the session (750th), the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, addressed the Committee.

12. Mrs. Robinson informed the Committee that the final version of the Durban Declaration and Programme of Action was available and explained that the World Conference texts would now need to be endorsed by the General Assembly. At the beginning of 2002, she had set up an Anti-Discrimination Unit, as recommended in the Durban Programme of Action, to take the lead in developing and implementing OHCHR's follow-up role.

13. Mrs. Robinson further referred to the Conference on School Education in relation with Freedom of Religion and Belief, Tolerance and Non-Discrimination, held in Madrid from 23 to 25 November 2001, and noted that it had provided an important opportunity to consider a challenging and sensitive issue following both 11 September and the Durban Conference. The initiative had been taken by Abdelfattah Amor, Special Rapporteur on freedom of religion or belief, in partnership with the Government of Spain. The main objective of the Conference had been to formulate a strategy on the prevention of intolerance and discrimination based on religion or belief by redesigning the role that school education should play at primary and secondary level. The Conference had been attended by some 800 participants, including 80 representatives of States. Mrs. Robinson said that the Committee's contribution had been very well received. Its general comment on the aims of education (art. 29, para. 1) had been given wide circulation and had proved to be a useful tool in formulating recommendations. The Madrid Final Document recommended ways and means by which curricula, textbooks and teaching methods should help promote tolerance and combat discrimination based on religion or belief.

14. Finally, the High Commissioner welcomed the decision of the Committee to hold a day of general discussion on the issue of the private sector and child rights, a topic, she said, on which a great deal of work still needed to be done and for which the expertise of the Committee and its partners would be useful. Mrs. Robinson said that OHCHR was taking part in the debates on the human rights dimension of the business sector and corporate responsibility and it was also active in the Global Compact project, which involved a large number of major private companies. The Committee's day of discussion would provide a chance to deepen understanding of the social responsibilities of the private sector, including the way that privatization of servicing affected the enjoyment by children of their human rights.

F. Pre-sessional working group

15. In accordance with a decision of the Committee at its first session, a pre-sessional working group met in Geneva from 15 to 19 October 2001. All the members except Ms. Al-Thani, Ms. Sardenberg and Ms. El-Guindi participated in the working group. Representatives of OHCHR, ILO, UNICEF, UNESCO, UNHCR and WHO also participated. A representative of the NGO Group for the Convention on the Rights of the Child, as well as representatives from various national and international non-governmental organizations, also attended.

16. The purpose of the pre-sessional working group is to facilitate the Committee's work under articles 44 and 45 of the Convention, primarily by reviewing State party reports and identifying in advance the main questions that would need to be discussed with the representatives of the reporting States. It also provides an opportunity to consider questions relating to technical assistance and international cooperation.

17. Mr. Jaap Doek chaired the pre-sessional working group. The latter held eight meetings, at which it examined lists of issues put before it by members of the Committee relating to the initial reports of seven countries (Greece, Gabon, United Arab Emirates, Mozambique, Malawi, Bahrain and Andorra) and the second periodic reports of two countries (Lebanon and Chile). The lists of issues were transmitted to the Permanent Missions of the States concerned with a note requesting written answers to the issues raised in the list, if possible, before 1 December 2001.

G. Organization of work

18. The Committee considered the organization of its work at its 750th meeting, on 14 January 2002. The Committee had before it the draft programme of work for the twenty-ninth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee, and the report of the Committee on its twenty-eighth session (CRC/C/111).

H. Future regular meetings

19. The Committee noted that its thirtieth session would take place from 21 May to 7 June 2002 and that its pre-sessional working group for the thirty-first session would meet from 10 to 14 June 2002.

III. REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

A. Submission of reports

20. The Committee had before it the following documents:

(a) Notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.3), 1994 (CRC/C/11/Rev.3), 1995 (CRC/C/28),

1996 (CRC/C/41), 1997 (CRC/C/51), 1998 (CRC/C/61) and 1999 (CRC/C/78); and on periodic reports of States parties due in 1997 (CRC/C/65), 1998 (CRC/C/70), 1999 (CRC/C/83), 2000 (CRC/C/93) and 2001 (CRC/C/104);

(b) Note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/113);

(c) Note by the Secretary-General on the follow-up to the consideration of initial reports by States parties to the Convention (CRC/C/27/Rev.11);

(d) Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee (CRC/C/40/Rev.20).

21. The Committee was informed that, in addition to the nine reports that were scheduled for consideration by the Committee at its current session and those which had been received prior to the Committee's twenty-ninth session (see CRC/C/111, para. 16), the Secretary-General had received the initial report of Eritrea (CRC/C/41/Add.12), Kazakhstan (CRC/C/41/Add.13), Zambia (CRC/C/11/Add.25) and Brunei Darussalam (CRC/C/61/Add.4) and the second periodic reports of Japan (CRC/C/104/Add.2) and India (CRC/C/93/Add.5).

22. A list of initial and second periodic reports considered by the Committee as of 1 February 2002, as well as a provisional list of initial and second periodic reports scheduled for consideration at the Committee's thirtieth and thirty-first sessions, are contained in annexes VI and VII, respectively.

23. As at 1 February 2002, the Committee had received 167 initial and 53 periodic reports. A total of 172 reports (151 initial and 21 second periodic) have been considered by the Committee (see annex VI).

24. In a note verbale dated 13 December 2001, the Government of Tunisia submitted information regarding recent developments that took place in the country in the area of child rights.

25. In a note verbale dated 16 January 2002, the Government of the United Arab Emirates requested that the consideration of its initial report, initially scheduled to take place during the twenty-ninth session, be postponed to the thirtieth session of the Committee. The Committee accepted the request in its response dated 24 January 2002.

26. At its twenty-ninth session, the Committee examined initial and periodic reports submitted by eight States parties under article 44 of the Convention. It devoted 16 of its 28 meetings to the consideration of reports (see CRC/C/SR.751-754; 756-757; 761-764; 769-772 and 777).

27. The following reports, listed in the order in which they were received by the Secretary-General, were before the Committee at its twenty-ninth session: Lebanon (CRC/C/70/Add.8), Chile (CRC/C/65/Add.13), Greece (CRC/C/28/Add.17), Gabon (CRC/C/41/Add.10), Mozambique (CRC/C/41/Add.11), Andorra (CRC/C/61/Add.3), Malawi (CRC/C/8/Add.43), Bahrain (CRC/C/11/Add.24).

28. In accordance with rule 68 of the provisional rules of procedure of the Committee, representatives of all the reporting States were invited to attend the meetings of the Committee at which their reports were examined.

29. The following sections, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain concluding observations reflecting the main points of discussion and indicating, where necessary, issues that require specific follow-up. More detailed information is contained in the report submitted by the States parties and in the summary records of the relevant meetings of the Committee.

B. Consideration of reports

Concluding observations of the Committee on the Rights of the Child: Lebanon

30. At its 751st and 752nd meetings (CRC/C/SR.751-752), held on 15 January 2002, the Committee on the Rights of the Child considered the second periodic report of Lebanon (CRC/C/70/Add.8), which was received on 4 December 1998, and adopted, at its 777th meeting, (CRC/C/SR.777) held on 1 February 2002, the following concluding observations.

A. Introduction

31. The Committee welcomes the submission of the State party's second periodic report, which contained interesting information about the theoretical background of the approach to the implementation of the rights of the child. Although the response to the list of issues was received very late, the Committee welcomes the additional updated statistical information it contained. The Committee notes with appreciation that the well-informed delegation contributed to a frank, informative and constructive dialogue.

B. Positive aspects

32. The Committee notes the State party's commitment to the issue of child rights and the efforts made to collect reliable information on the situation of children as well as to disseminate and create awareness of the Convention, notably by integrating the Convention into school curricula. It further notes the preparation by the Higher Council for Childhood of a legal comparative study of the legislation and of the Convention, resulting in a series of proposals for legislative reform.

33. In light of its previous recommendations (CRC/C/15/Add.54, para. 23), the Committee notes with satisfaction the legislative changes and the adoption of several new laws, including

the law making education until the age of 12 free and compulsory, the amendment of the Labour Law raising the minimum age for employment and the adoption of stricter legislation on child labour, and the extensive legislative changes addressing the rights of children with disabilities.

34. The Committee notes with satisfaction that the State party ratified in 2001 the ILO Convention (No. 182) on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and acceded in the year 2000 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

C. Factors and difficulties impeding the implementation of the Convention

35. The Committee acknowledges that the difficulties resulting from the destruction of much of the infrastructure during the conflict in Lebanon from 1975 to 1990, the substantial reconstruction requirements, particularly in southern Lebanon, as well as political instability and economic difficulties are factors impeding the implementation of the provisions of the Convention.

D. Principal subjects of concern and recommendations of the Committee

1. General measures of implementation

Previous recommendations of the Committee

36. The Committee regrets that many of the concerns expressed and recommendations made in the concluding observations (CRC/C/15/Add.54) adopted following its consideration of the State party's initial report (CRC/C/8/Add.23) have been insufficiently addressed. The Committee notes that many of the same concerns are expressed and recommendations made in the present document.

37. **The Committee urges the State party to make every effort to address the recommendations contained in the concluding observations on the initial report that have not yet been implemented and to address the list of concerns contained in the present concluding observations on the second periodic report.**

Legislation

38. While noting that part of the national legislation has been amended, and continues to be reviewed, in line with the previous recommendations (ibid., para. 13), the Committee remains concerned about continuing inconsistencies between domestic legislation and the Convention, particularly in the areas of right to nationality, age of marriage, custody, guardianship, inheritance and the rights of refugee children, among others.

39. **The Committee recommends that the State party reinforce its efforts towards legal reform, particularly regarding the different confessional justice systems, in cooperation with the confessional groups concerned, with a view to ensuring full conformity of domestic legislation with the principles and provisions of the Convention on the Rights of the Child.**

Coordination

40. While noting the completion of the National Plan of Action for Survival, Protection and Development of Children in Lebanon, the Committee observes that this plan falls short of a comprehensive social policy and national strategy for implementing the Convention in line with the Committee's recommendation, as acknowledged by the State party (CRC/C/15/Add.54, para. 22). The Committee is furthermore concerned that the role of the Higher Council for Children as a mechanism for coordination remains unclear and undefined in practice.

41. **The Committee recommends that the State party develop a comprehensive and holistic social and economic strategy, including budget implications and a time frame for the implementation of the rights stipulated in the Convention, and continue its cooperation with UNICEF in this respect. It furthermore reiterates its recommendation to the State party to undertake a review of the present central administrative structures in order to ensure effective coordination of policies and programmes on matters of child rights and child welfare (ibid., para. 22).**

Data collection

42. While noting the significant efforts of the State party to collect reliable data on the situation of children, the Committee is concerned that a specific list of indicators has not yet been adopted to effectively assess progress and design policies to implement the Convention.

43. **The Committee recommends that the State party:**

(a) Develop child-related indicators in line with the Convention, disaggregated by gender, ethnicity, religion, region and other indicators to assess implementation of the Convention;

(b) Seek technical assistance from, among others, UNICEF in this regard.

Independent monitoring structures

44. The Committee regrets that its previous recommendation to the State party to develop a permanent and multidisciplinary mechanism for monitoring the implementation of the Convention has not been followed up (ibid., para. 24). The Committee notes the information that the Higher Council for Childhood is dealing with complaints about the violations of the rights of children in an informal way, but is concerned that the combination of a coordinating and a monitoring role would hamper effective and independent monitoring of the implementation of the Convention.

45. **The Committee encourages the State party:**

(a) To reinitiate the process of establishing an independent national human rights institution, in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), to monitor and evaluate progress in the

implementation of the Convention at the national and, if appropriate, at the local level, including implementation by the private sector and NGOs as providers of services to children. This institution should be empowered to receive and investigate individual complaints of violations of child rights in a child-sensitive manner and address them effectively; and

(b) To seek technical assistance from, among others, OHCHR and UNICEF.

Allocation of budgetary resources

46. The Committee regrets that the data provided by the State party lack specificity with regard to the amounts allocated to children from the budget. While noting that an increased proportion of GNP has been allocated to social services as compared with 1993, the practical impact of this increase on the situation of children is not clear.

47. **In light of articles 2, 3 and 4 of the Convention, the Committee recommends that the State party:**

(a) Strengthen its efforts to reduce poverty among children and identify clearly its priorities with respect to child-rights issues in order to ensure that funds are allocated "to the maximum extent of available resources" for the full implementation of the economic, social and cultural rights of children, in particular for children belonging to the most vulnerable groups in society;

(b) Identify the amount and proportion of the State budget spent on children in the public, private and NGO sectors in order to evaluate the impact and effect of the expenditures and also, in view of the costs, the accessibility, quality and effectiveness of the services for children in the various sectors;

(c) Strengthen the overall priority given in the national budget to child-related programmes, in accordance with the Committee's previous recommendation (ibid., para. 29).

Training/dissemination of the Convention

48. While noting with appreciation the efforts undertaken by the State party to publicize the principles and provisions of the Convention widely, including the convening of a Children's Parliament and press conference and integration of the Convention in school curricula, as well as the interest of the media, the Committee is of the opinion that the measures to create widespread awareness and understanding of the principles and provisions of the Convention need to be further strengthened and implemented in an ongoing, systematic basis.

49. **The Committee reiterates its recommendation (ibid., para. 26) that the State party strengthen its awareness-raising efforts and encourages the State party to undertake systematic education and training on the rights in the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions**

and places of detention for children, teachers, health personnel, including psychologists, social workers, religious leaders, as well as children and their parents. Technical assistance from, among others, OHCHR and UNICEF could be requested in this regard.

2. Definition of the child

50. Noting the average age at which a marriage is concluded (31 years for men and 28 years for women), the Committee is nevertheless concerned that there are many different minimum ages for marriage owing to the existence of 15 personal status laws administered by different confessional groups, and above all that some confessional groups permit marriage to be entered into by boys as young as 14 and girls as young as 9. The Committee is concerned in particular that its previous recommendations to review the minimum age for marriage and to adopt legislative measures with a view to ensuring respect for the rights of girls, especially in relation to preventing early marriage, have not been followed up (ibid., para. 28). Furthermore, in light of its previous concluding observations, the Committee is concerned at the very low age of criminal responsibility, which is set at 7 years (ibid., para. 23). Finally, while noting the very positive steps taken to raise the minimum age for the completion of compulsory education (12 years) and the plans to raise the age further to 15 and to increase the minimum age of employment to the end of the thirteenth year, the Committee is concerned about the gap between the two ages.

51. **The Committee recommends that the State party:**

(a) Take all necessary steps to increase awareness among the confessional groups - e.g. via information campaigns highlighting the de facto average age of marriage - about the need to harmonize the minimum age for marriage, to raise it and to make it the same for boys as for girls;

(b) Raise the minimum age for criminal responsibility and other minimum age requirements in accordance with the principles and provisions of the Convention, and ensure that they are gender neutral and are enforced by law; and

(c) Pursue its plans to erase the gap between the school-leaving age and the minimum age for employment by increasing both to 15, in conformity with ILO Convention No. 138.

3. General principles

Non-discrimination

52. The Committee welcomes the information on regional policies to eliminate social disparities and promote equal opportunities. However, it is concerned that the principle of non-discrimination (article 2 of the Convention) is not fully implemented for girls, refugee and asylum-seeking children, Palestinian children, children with disabilities, and children living in less advantaged regions and rural areas, especially with regard to their access to health and adequate educational facilities.

53. **In accordance with article 2 of the Convention, the Committee recommends that the State party:**

(a) Make concerted efforts at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic, or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups;

(b) Ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination; and

(c) In line with the previous recommendation regarding gender discrimination (ibid., para. 28), ensure respect for the rights of girls, especially in relation to the prevention of early marriage.

54. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Best interests of the child

55. The Committee is concerned that the comparative studies regarding the compatibility between the Convention and domestic legislation have not examined the implications of the general principle of the best interests of the child in relation to the State party's laws, as previously recommended (CRC/C/15/Add.54, para. 35), its policies on issues such as institutionalization and imprisonment, and its practices with regard to children with disabilities.

56. **The Committee reiterates its recommendation to the State party to take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as in judicial and administrative decisions and in policies, programmes and services which have an impact on children.**

Right to life

57. Noting the statement by the delegation that the problem of crimes committed in the name of honour do not exist in the State party, the Committee is nevertheless concerned that the provisions relating to "honour crimes" remain in the Penal Code. It is deeply concerned at the statement by the delegation that in some cases such crimes are not punished at all.

58. **The Committee recommends that the State party:**

(a) Rapidly review its legislation with a view to eliminating all provisions allowing sentences to be reduced if the crime in question is committed in the name of honour;

(b) Amend the law in accordance with international standards and ensure prompt and thorough investigations and prosecutions; and

(c) Undertake awareness-raising activities to make such practices socially and morally unacceptable.

Respect for the views of the child

59. Taking note of the efforts by the State party, including the convening of a children's parliament, the Committee is concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children in the schools, civil courts, administrative decisions, and especially within the family.

60. **The Committee recommends that the State party:**

(a) Promote and facilitate, within the family, the schools, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for teachers, social workers, local officials and confessional leaders to enable them to assist children to express their informed views and opinions and to have them taken into consideration; and

(c) Seek assistance from UNICEF, among others.

4. Civil rights and freedoms

Right to a nationality

61. The Committee notes with concern that the law does not grant equal citizenship status to children of Lebanese women married to non-nationals, as it does where the father is Lebanese; this may result in statelessness.

62. **The Committee recommends that the State party ensure the right of the child to a nationality without discrimination on the basis of the gender of the parent(s), in accordance with articles 2 and 7 of the Convention.**

Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

63. The Committee is concerned at allegations that children as young as 15 have been subjected to torture and ill-treatment during incommunicado detention.

64. **In light of article 37 (a) of the Convention, the Committee strongly recommends that the State party:**

(a) Enforce, or, when appropriate, review existing legislation with a view to preventing children being held incommunicado, and investigate in an effective way reported cases of ill-treatment of children;

(b) Ensure that alleged perpetrators are transferred from active duty or suspended while they are under investigation, that they are dismissed and punished if convicted, and that court proceedings and sentences are publicized;

(c) Train law enforcement personnel on child rights issues;

(d) In the light of article 39, take all appropriate measures to ensure the physical and psychological recovery and social integration of child victims of torture and/or ill-treatment.

5. Family environment and alternative care

Children deprived of a family environment

65. The Committee is deeply concerned at the large number of children placed in institutions, a significant majority of whom are placed there because of socio-economic problems affecting their families and without judicial procedure. It notes with concern that the institutions, which are often run by non-governmental organizations, are contracted by the Ministry of Social Affairs and are not at present subject to monitoring. The Committee notes the information provided by the delegation that legislation and procedures regarding alternative care are in place.

66. **The Committee recommends that in the light of article 9, the State party:**

(a) Take effective measures to implement fully the legislation relating to alternative care of children to ensure that a child is not separated from his or her parents against its will, except when competent authorities subject to judicial review and procedures determine that such separation is necessary for the best interests of the child; and

(b) Pursue its plans to review its policies resulting in a large number of children being placed in institutions and improve the monitoring and evaluation of services provided by non-governmental organizations in this regard.

Violence/abuse/neglect/maltreatment

67. The Committee is concerned that violence used as a means of discipline in the home and at school is culturally and legally acceptable in the State party, and regrets that no follow-up to the Committee's previous recommendation (ibid., para. 37) has been initiated. The Committee is furthermore concerned that there is insufficient information and awareness of domestic violence and its harmful impact on children. Finally, the Committee is concerned that despite its prohibition by ministerial decision, corporal punishment is still practised in schools.

68. **The Committee urges the State party urgently to take all legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse, against children in the family and the schools, and furthermore recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address it;

(b) Carry out public education campaigns about the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(c) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, including intervening where necessary;

(d) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;

(e) Provide care, recovery and reintegration for victims;

(f) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases;

(g) Take into consideration the recommendations of the Committee adopted at its days of general discussion on children and violence (see CRC/C/100, para. 688 and CRC/C/111, paras. 701-745);

(h) Seek assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Children with disabilities

69. While welcoming the extensive legislation adopted for children with disabilities, the Committee remains concerned that children with disabilities continue to be subject to discrimination in the areas of health coverage, access to specialized services, family support and education.

70. **The Committee urges the State party:**

(a) To review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on children with disabilities (see CRC/C/69);

(b) To make greater efforts to provide the necessary resources (financial and professional);

(c) To make greater efforts to promote community-based rehabilitation programmes and inclusive education;

(d) To make greater efforts in the area of prevention by reviewing, inter alia, health programmes and policies relating to pregnancy, birth and child health; and

(e) To seek assistance from, among others, UNICEF, WHO and relevant NGOs.

Right to health and health care

71. The Committee notes the achievements by the State party in the area of health care, notably the downward long-term trend in infant and child mortality and the improvements in the area of immunization. It further notes the large increase in the percentage of the budget allocated to this sector. Nevertheless, the Committee is concerned about the unequal enjoyment of the right to access primary health-care services by children in different parts of the country, resulting in wide regional and social variations in infant and child mortality and the quality of care. The Committee is deeply concerned that children do not enjoy equal access to quality health care owing to the high cost of health care and the failure of insurance schemes to provide full coverage, and in part to the domination of the health sector by the private sector and significant differences between the quality of the care provided by the public versus the private sector. The Committee regrets that any follow-up to its previous recommendation (ibid., para. 30) has had little impact on the realization of the right to health for children.

72. **The Committee urges the State party:**

(a) To reinforce its efforts to allocate appropriate resources and develop and adopt policies and programmes to improve and protect the health situation of children, particularly in the regions with the highest mortality rates;

(b) To ensure equal access to and quality of health care for all children, independent of socio-economic factors, and encourages the State party to provide health insurance for all children, irrespective of whether their parents are working;

(c) To initiate effective follow-up to its previous recommendation and in view of the high budgetary expenditures in the health sector in particular, to examine the impact on the practical realization of the right to health for all children irrespective of socio-economic factors;

(d) To consider adopting and implementing the integrated management of childhood illness strategy to combat the most common childhood illnesses and malnutrition; and

(e) To seek technical assistance from, among others, WHO and UNICEF.

73. With reference to its previous recommendation (ibid., paras. 34, 38) the Committee notes the difficulties acknowledged by the State party in enforcing a law prohibiting the free distribution of milk substitutes and notes that the commercial marketing of infant formula is still widespread. It also notes with deep concern that one in every five married women is married to her maternal or paternal cousin or another relative, and that 30 per cent of disabled children are born to consanguineous marriages.

74. **The Committee recommends that the State party:**

(a) Strengthen its efforts to promote breastfeeding and encourage the introduction of adequate maternity leave for all working mothers in the spirit of article 18 (2); and

(b) To disseminate information on the risks to the health of children born to consanguineous marriages and encourage premarital testing.

Standard of living

75. The Committee is concerned that the overall standard of living of many children is very low, as measured by income-related indicators such as access to housing, water, sanitation and education. In particular, it expresses concern at the large regional disparities in living standards, particularly with regard to children living in the governorates of the north, Nabatiyah and Bekaa, and Palestinian children.

76. **The Committee recommends that the State party take steps to improve the standard of living of children, giving particular attention to housing, water and sanitation, as well as education. The Committee further recommends the adoption of measures to reduce regional disparities.**

7. Education, leisure and cultural activities

Education

77. While noting with appreciation the number of initiatives undertaken, in particular the law making basic education free and compulsory until the age of 12 and the intention to raise it

further to 15, the Committee is nevertheless concerned about the implementation of the law, including that public education is not entirely free. The Committee is furthermore concerned at the lack of public structures in early childhood education, regional disparities, the differences in cost and quality between State and private schools, which create inequality, the high drop-out rates after primary education, the low number of trained teachers, as well as reports of family preference for male over female children when fees are charged.

78. **The Committee recommends that the State party:**

(a) Take all appropriate measures, including the allocation of adequate financial, human and technical resources, to improve the situation and aims of education, taking into account general comment No. 1 on article 29 (1) of the Convention (aims of education), both with regard to quality as well as relevance, and to ensure that all children enjoy the right to education;

(b) Take the necessary steps to achieve its goal of making education free and compulsory until the age of 15;

(c) Seek to implement additional measures to promote early childhood education and encourage children to stay in school, and adopt effective measures to reduce illiteracy;

(d) Place stronger emphasis on public education, with a view to ensuring that all children subject to the jurisdiction of the State enjoy this fundamental right, and prevent any risk of discrimination, in accordance with the Committee's previous recommendation (ibid., para. 30) regarding the growing role of private educational institutions;

(e) Continue cooperation with UNESCO and UNICEF in improving and activating the education sector.

8. Special measures of protection

Children affected by armed conflict

79. The Committee notes with concern the negative impact of the past armed conflict on children, including increasing vulnerability to socio-economic deprivation, displacement and injury from landmines, as well as of past practices of recruitment of children by armed groups during the civil war.

80. **The Committee reiterates its previous recommendation (ibid., para. 42) and urges the State party to continue and strengthen its efforts to provide for adequate psychosocial recovery and reintegration of victims of violence and the armed conflict in Lebanon. It also encourages the State party to continue and strengthen its demining activities and to seek the necessary technical and financial support from the international community.**

Refugees

81. The Committee is concerned at the absence of legislative or administrative provisions to protect refugee children. Issues of concern include the fact that only men may confer citizenship upon their children, instances of separation of children from their asylum-seeking parents during detention, as well as difficulties regarding full access to education.

82. **The Committee reiterates its previous recommendation (ibid., para. 41) that the State party accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It further encourages the State party to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Furthermore, it encourages the State party to ensure that refugee children are provided with proper documentation, refrain from separating refugee children from their parents, facilitate family reunification and ensure the right to education for all refugee children.**

Palestinian children

83. The Committee is concerned about the high rate of Palestinian children living below the poverty line, as well as the lack of adequate access by Palestinian children to many basic rights, including health, education and an adequate standard of living, and about the quality of services provided.

84. **The Committee reiterates its recommendation (ibid., para. 40) that the State party, in cooperation with United Nations Relief and Works Agency for Palestine Refugees in the Near East, seek ways of addressing the socio-economic problems among Palestinian children that affect children negatively, including teaching about the Convention in the school and include children in development programmes.**

Child labour

85. While noting the measures taken by the State party in this sector, including raising the minimum age for employment, the Committee is concerned that despite stricter laws on child labour, a high percentage of working children are involved in activities which represent a danger to their health and development. The Committee welcomes the collaboration with ILO/IPEC in combating and preventing child labour.

86. **The Committee recommends that the State party:**

(a) Continue and strengthen its cooperation with ILO/IPEC and carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards, as well as strengthen labour inspections and law enforcement; and

(b) Make every effort to ratify and implement ILO Convention (No. 138) on the Minimum Age for Admission to Employment and seek assistance from ILO in this regard.

Sexual exploitation

87. The Committee is concerned at the insufficient data on and awareness of the phenomenon of sexual exploitation of children in Lebanon.

88. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution and pornography, and implement appropriate policies and programmes for preventing such exploitation and for the rehabilitation and recovery of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.**

Administration of juvenile justice

89. While welcoming the initiation of a process of reform of the law on juvenile justice in line with the previous recommendation (CRC/C/15/Add.54, para. 44), the Committee is concerned about reports that the draft does not comply with several provisions of the Convention. The Committee notes that the draft is still under consideration and that necessary amendments or other changes can still be made. The Committee is furthermore concerned about the failure to separate juveniles, particularly girls, in conflict with the law from adults, and that juveniles are often held in adult prisons.

90. **The Committee recommends that the State party expedite the review of the draft legislation in order to:**

(a) Establish as soon as possible a system of juvenile justice, fully integrating into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Ensure that deprivation of liberty is only used as a measure of last resort, that children have access to legal aid and independent and effective complaints mechanisms, and that persons under 18 are not detained with adults;

(c) Treat children or juveniles in conflict with the law and children or juveniles at risk in a different and distinct manner so that they are not placed in the same institutions with the same regimes or restrictions; and

(d) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols to the Convention

91. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documentation

92. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the second periodic report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.**

Concluding observations of the Committee on the Rights of the Child: Greece

93. The Committee considered the initial report of Greece (CRC/C/28/Add.17) at its 753rd to 754th meetings (CRC/C/SR.753-754), held on 16 January 2002, and adopted, at the 777th meeting (CRC/C/SR.777), held on 1 February 2002, the following concluding observations.

A. Introduction

94. The Committee welcomes the submission of the State party's initial report and the written replies to its list of issues (CRC/C/Q/GRE/1). The Committee regrets that the initial report was submitted five years late and that the State has not yet submitted a human rights core document. The Committee notes that while the report contained very useful information on the legislative framework relevant to the Convention's implementation within the State party, it lacked sufficient information on the effects to implement the Convention itself. The Committee notes with regret that the report did not include a specific section on general measures of implementation, as required under the Committee's reporting guidelines (CRC/C/5). The Committee welcomes the detailed information provided in the State party's replies to the list of issues. The Committee welcomes the State party's large delegation composed of experts from several ministries that contributed to the informative dialogue that took place.

B. Positive factors

95. The Committee notes that the Convention forms a part of national law and takes precedence over domestic legislation.

96. The Committee welcomes the State party's recent ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

97. The Committee welcomes: the law (2646/1998) on the development of the national system of social care; the law (2716/2001) on the provision of mental health services; the law (2889/2001) on the improvement and modernization of the national health system creating, inter alia, a decentralized system which may contribute to better accessibility of health-care services for children, in particular those living in remote areas; and law (2920/2001) on the establishment of a body of inspectors of health and welfare services.

98. The Committee also notes the establishment of the National Observatory on the Rights of Children for the monitoring and implementation of the Convention.

99. The Committee notes efforts to raise awareness among children of their rights and to sensitize them to global issues through, inter alia, the implementation of the "Schools as defenders of children" programme and the "Children write and paint about their rights" programme.

100. The Committee notes the establishment of the Youth Parliament and of Pupils' Councils.

C. Factors and difficulties impeding the implementation of the Convention

101. The Committee notes that the State party is facing new challenges with the growth of a multicultural society, including different languages and ethnic and religious backgrounds.

102. The Committee notes the difficulties posed by urbanization in ensuring respect for the rights of children in some isolated and rural communities.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

103. The Committee notes the ongoing efforts by the State party to introduce relevant legislation. The Committee remains concerned that some aspects of domestic legislation are still not consistent with the principles and provisions of the Convention and that implementation of existing legislation needs to be improved.

104. **The Committee recommends that the State party:**

(a) Harmonize its legislation with the principles and provisions of the Convention;

(b) Strengthen implementation of domestic legislation towards improved protection of children's rights;

(c) Establish a mechanism and time frame for implementation of ILO Convention No. 182;

(d) Proceed with ratification of the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption adopted at The Hague in 1993.

Implementation and coordination

105. While noting the involvement of many ministries in the implementation of the Convention, the Committee remains concerned:

(a) At the lack of a clear structure or body for the coordination of the Convention's implementation both at the national level and, via the process of decentralization, at the regional level;

(b) That considerable disparities exist between urban and rural areas with regard to the Convention's implementation.

106. **The Committee recommends that the State party:**

(a) Establish a coordinating body with adequate authority and sufficient human, financial and other resources to support effective coordination for the full implementation of the Convention;

(b) Implement measures to reduce disparities in the Convention's implementation and ensure equal access to services such as education, health, welfare and others, for all children, including those in isolated regions.

Decentralization

107. Noting the State party's progress in decentralizing health services, the Committee remains concerned that many services fundamental to the Convention's implementation remain centralized in the main cities.

108. **The Committee recommends that the State party:**

(a) Strengthen the Convention's overall implementation throughout the country, giving particular attention to rural and small island communities and ethnic, national, cultural and other population groups, including through ongoing efforts to strengthen the presence of health and education professionals in such communities;

(b) Promptly implement the laws on decentralization of health and social services.

Independent monitoring

109. In light of the establishment of the National Observatory on the Rights of Children, and given the existence of the Ombudsman's Office and the National Human Rights Committee, the Committee is concerned that there is no clear division of labour between these bodies, which may have a negative impact on effective monitoring of the Convention's implementation.

110. **The Committee recommends that the State party:**

(a) Clearly define the role of each of the above bodies in accordance with the Paris Principles, and ensure that they are easily accessible for children and can deal with individual complaints in a child sensitive manner;

(b) Proceed with its efforts to develop the work of the National Observatory on the Rights of Children, including through the timely implementation of the law on the Observatory.

Plan of action and children's rights policy

111. While noting the existence of numerous plans of action and policies focusing on specific issues of concern to children, the Committee remains concerned at the absence of a general plan of action for children's rights and a comprehensive children's rights policy.

112. **The Committee recommends that the State party urgently develop and implement a comprehensive children's rights policy and plan of action.**

Resources for children

113. The Committee is concerned that it is unclear what percentage of the budget is allocated for children's health and education and that the allocations for public education appear to be low.

114. **The Committee recommends that the State party clarify the amount of the budgetary allocations for social services and ensure that allocations, particularly for education, are allocated to the "maximum extent of ... available resources", in accordance with article 4 of the Convention.**

Data

115. The Committee is concerned at the absence of up-to-date and comprehensive data with regard to the implementation of the Convention and, in particular, that the data collected by individual ministries and other bodies are not integrated into a central data-collection mechanism.

116. **Noting the State party's efforts in this domain, the Committee recommends that the State party:**

(a) Strengthen its efforts to develop data collection systems and indicators consistent with the Convention and covering all children up to the ages of 18 years, with an emphasis on those who are particularly vulnerable, such as child victims of abuse, neglect or ill-treatment; children with disabilities; children who are not citizens of the State party; children belonging to distinct ethnic, religious, linguistic or cultural groups; children in conflict with the law; children who work; adopted children; and children living in the streets and rural areas;

(b) Ensure that the data collected are disaggregated by, inter alia, age and gender, and include up-to-date information on budgetary allocations relevant to the Convention's implementation;

(c) Ensure that data collected by various ministries and other bodies are centralized and used in the formulation, evaluation and strengthening of policies and programmes for the effective implementation and monitoring of the Convention.

Cooperation with NGOs

117. While noting the involvement of some NGOs in the preparation of the State party's initial report, the Committee remains concerned that other relevant NGOs working on human rights, including children's rights, and including NGOs from distinct ethnic, religious, linguistic and cultural groups were not involved in the process and that communication with part of the NGOs community has been insufficient.

118. **The Committee recommends that the State party make every effort to further improve cooperation and coordination on a regular basis with NGOs and involve them in the Convention's implementation, giving particular attention to NGOs working on behalf of the rights of children from distinct ethnic, religious, linguistic and cultural groups, such as the Roma.**

Dissemination of the Convention

119. Acknowledging the State party's efforts in this regard, the Committee is concerned that knowledge and understanding of the Convention among children, professionals working with children, distinct ethnic, religious, linguistic or cultural groups and among the public in general is still insufficient. The Committee is concerned, in addition, that the Convention has not been translated into the languages of some sectors of the population, such as the Roma language.

120. **The Committee recommends that the State party:**

(a) Strengthen its efforts to provide training for professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, judges, lawyers and national ministerial and local government

officials with responsibility for children's rights - children, parents and the population in general, and distinct ethnic, religious, linguistic or cultural groups, on the Convention and its principles and provisions and other relevant human rights instruments in a systematic and ongoing manner;

(b) Adopt measures to ensure that training and/or information campaigns reach, among others, populations in rural communities and illiterate persons;

(c) Ensure that translated versions of the Convention are disseminated, as needed, in the languages spoken within the State party by the distinct groups referred to under paragraph 120 (a) of these concluding observations.

2. Definition of the child

121. Taking note of the State party's indication of its intention to change legislation and define the age of majority uniformly as 18, and noting the Special Committee that has been appointed in this regard, the Committee is concerned:

(a) At inconsistencies in the definitions of a child within the State party's legislation, including that under civil law a minor is a person who has not reached age 18 while under penal law a minor is a person who has not reached 17;

(b) That domestic legislation allows the drafting into the armed forces of children aged 17.

122. **The Committee recommends that the State party:**

(a) Clarify the age of majority, with particular regard to penal law and the international practice that juvenile justice standards are extended to children up until age 18;

(b) Raise, in light of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict signed by the State party in September 2000, the minimum age at which persons can be conscripted into the armed forces to at least age 18.

3. General principles

123. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children.

124. **The Committee recommends that the State party:**

(a) Appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on children;

(b) Make use of these principles to guide planning and policy-making at every level, as well as actions taken by social, health, welfare, penal and other institutions.

Non-discrimination

125. While noting the State party's legislation against xenophobia and hate speech, the Committee remains deeply concerned:

(a) At the discrimination, including some societal discrimination and instances of xenophobia, against, among others, children from distinct ethnic, religious, linguistic or cultural groups within the State party;

(b) At the fact that domestic legislation does not include a prohibition of discrimination on the ground of disability.

126. **The Committee recommends that the State party:**

(a) Urgently strengthen its efforts to end all forms of discrimination affecting children, as provided in article 2 of the Convention, including through the strengthening of the implementation of anti-discrimination laws and the possibilities for children and their parents who have been victims of discrimination to seek recourse through the judicial system;

(b) Amend domestic legislation so as to ensure a prohibition of discrimination on the ground of disability;

(c) Implement measures to ensure equal access to services such as education and health, welfare and other social services for all children without distinction, including children from distinct ethnic, religious, linguistic or cultural groups;

(d) Introduce public awareness and sensitivity campaigns on tolerance and respect for the other.

127. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Life, survival and development

128. The Committee is concerned:

(a) At the very high rate of accidents, especially road accidents and domestic accidents of poisoning, of which children are victims in the State party;

(b) At the very poor educational and health statistics relating to children from Roma communities.

129. **The Committee recommends that the State party take steps:**

(a) To prevent road accidents and domestic accidents of poisoning involving children;

(b) To improve respect for the rights to life, survival and development of Roma children, including through proactive efforts on the part of relevant authorities.

Respect for the views of the child

130. The Committee is concerned that children's opinions are insufficiently taken into consideration in the context of judicial or administrative decisions, including in the context of child custody procedures following parental separation and decisions to place a child in a State institution, foster care, or other form of alternative care. The Committee is also concerned that the Youth Parliament does not represent the views of a sufficiently wide spectrum of children in the State party.

131. **The Committee recommends that the State party:**

(a) Strengthen its efforts, including in respect of legislation, to ensure that children's views are heard and taken into consideration in all judicial, administrative and other decisions affecting them and in accordance with the child's age and maturity;

(b) Ensure that the Youth Parliament is representative of all sectors of the State party's child population, including children from distinct ethnic, religious, linguistic or cultural groups.

4. Civil rights and freedoms

Right to a name and identity

132. The Committee is concerned:

(a) That the right of some children, and particularly child members of some distinct ethnic, religious, linguistic and cultural groups such as the Roma, to birth registration is not respected as a result of a lack of information on birth registration procedures, a lack of legal representation for particular population groups and the lack of sufficiently decentralized services;

(b) That persons who speak a language other than Greek, including refugees and asylum-seekers, have difficulty in registering names for their children in their native language.

133. **The Committee recommends that the State party ensure:**

(a) That all children are registered at birth, including through improvement of the provision of information on, and easier access to, birth registration facilities;

(b) That all children are able to be registered under, and make use of, their full original name as chosen by themselves, their parents or other legal guardian.

Violence and ill-treatment

134. The Committee is concerned that:

(a) As indicated in the State party's report, about 60 per cent of parents practice corporal punishment of children;

(b) Although corporal punishment is prohibited by law in schools, it is not prohibited in the family.

135. **The Committee recommends that the State party:**

(a) Prohibit all forms of violence against children, including corporal punishment, by law in all contexts, including in the family;

(b) Undertake education and awareness campaigns to inform, among others, teachers, parents and medical and law enforcement personnel about the harm of violence, including corporal punishment, and about alternative, non-violent, forms of educating children.

Freedom of religion

136. The Committee expresses its concern at reports of administrative and social pressures being placed on children from religious minorities including, for example, the requirement that a student's secondary school graduation certificate indicate, where this is the case, that the student does not practise the Greek Orthodox religion.

137. **The Committee recommends that the State party ensure that a child's religious affiliation, or lack of one, in no way hinders respect for the child's rights, including the right to non-discrimination and to privacy, for example in the context of information included in the school graduation certificate.**

Access to information

138. The Committee is concerned that children and their families who do not speak, read or write Greek fluently, and children from some isolated regions of the State party and from some distinct ethnic, religious, linguistic or cultural groups do not always have adequate access to information regarding, for example, welfare or legal assistance, and information reflecting the multicultural nature of the State party. The Committee is also concerned that some harmful information, notably via the Internet, remains easily accessible to children.

139. **The Committee recommends that the State party:**

(a) Make additional efforts to ensure that all children and their families have access to essential information regarding their rights, giving particular attention to isolated groups and those who do not communicate easily in Greek;

(b) Promote the development and accessibility, including through radio and television, of a wide variety of information reflecting the cultural diversity of the State party's population;

(c) Take further steps towards the protection of children from harmful information, including on the Internet.

5. Family environment and alternative care

Assistance to parents

140. The Committee is concerned:

(a) At the high percentage of persons (19.5 per cent) estimated to be living below the poverty line and that, in this regard, the rights of some children, including the right to a family environment, may be violated;

(b) That the system of financial "allowances" provided by the State to assist in the care of children under certain circumstances, such as low family income, are not provided to children themselves but rather to mothers, irrespective of whether they are caring for their children;

(c) That the amount of such financial allowances is extremely low and, in addition, that many Roma families do not receive these allowances at all.

141. **In the light of article 18, the Committee recommends that the State party:**

(a) Strengthen its efforts to protect children's right to a family environment, including by reducing the number of persons living in poverty and ensuring access for all children and parents in need to financial assistance, giving particular attention in this regard to children and parents from Roma communities;

(b) Amend the procedures for the disbursement of family allowances to ensure that this financial support is provided to the person(s) currently caring for the children intended to benefit from the allowances;

(c) Consider increasing financial support to families living in poverty to the maximum extent of available resources.

Abuse and neglect

142. While acknowledging the many activities of the Child Health Institute in the field of child abuse and neglect and the new bill to establish the "legal bystander" for the child victim, the Committee remains concerned:

(a) At the absence of national data on the incidence of child abuse and neglect;

(b) At indications that physical, psychological, and sexual abuse are prevalent within the family and in the context of institutional care;

(c) That social, medical and other service resources through which the State party can respond to abuse and neglect are primarily limited to Athens and that even these are insufficient.

143. **The Committee recommends that the State party:**

(a) Improve its data collection with regard to the abuse and neglect of children, including sexual abuse within the family;

(b) Develop and implement a national programme for the prevention and reduction of the incidence of child abuse and neglect of children within the family and within institutions, inter alia by conducting awareness raising campaigns and providing adequate support to families at risk;

(c) Develop and implement an effective system for reporting and referral of cases of child abuse and neglect and appropriate measures for the protection of child victims and the provision of rehabilitative assistance and the prosecution and treatment of alleged perpetrators of abuse and neglect;

(d) Strengthen the capacity of social services across the country to identify and treat instances of abuse or neglect of children, including for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or sexual exploitation, in accordance with article 39 of the Convention; take measures to prevent the criminalization and stigmatization of victims; strengthen the use of child-sensitive methods of investigation and presentation of court evidence and the availability of expert multidisciplinary child assistance teams, including psychosocial counsellors; and ensure that domestic legislation provides adequate protection for all children, both girls and boys, from sexual and other forms of abuse;

(e) Take note of the Committee's recommendations adopted at its 2000 and 2001 days of general discussion on children and violence (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745).

Child custody

144. The Committee is concerned that upon the separation of some Muslim parents, custody of children below a certain age is systematically awarded to mothers and custody of children above a certain age is systematically awarded to fathers, without due regard for the best interests and opinion of the child.

145. **The Committee recommends that in the context of child custody decisions the State party ensure full respect for the Convention including, inter alia, the obligation to give due consideration to the best interests and views of the child.**

Alternative care

146. The Committee is concerned that:

(a) Alternative care provisions for children, such as foster and institutional care, are inadequate, including as a result of inadequate funding and insufficient staffing;

(b) There is a lack of systematic and effective coordination between welfare services and the courts;

(c) The "juvenile protection societies" are inadequately resourced to fulfil their mandates effectively;

(d) That children from some groups, such as Roma and illegal immigrants, receive particularly limited protection of their rights in the context of alternative care mechanisms.

147. **The Committee recommends that the State party:**

(a) Continue to strengthen further its ongoing efforts to improve the protection of children's rights in the context of alternative care proceedings;

(b) Strengthen the effectiveness of its efforts to prevent and reduce the recourse to institutionalization for children in need of alternative care;

(c) Strengthen collaboration and coordination between the various relevant governmental and non-governmental bodies in the context of alternative care including, as relevant, with the courts;

(d) Ensure that children's views are heard and taken into consideration in alternative care decisions, in accordance with the principles and provisions of the Convention.

6. Basic health and welfare

148. The Committee is concerned that:

(a) The State party's data on basic national health indicators are insufficient;

(b) Weaknesses in infrastructure and problems of uninsured families may limit the realization of children's right to health care;

(c) There is a shortage of nurses and social workers, and notes the need to improve the quality of dental services, as indicated by the State party in its report;

(d) Children of parents who are not covered by family social insurance policies may not have access to health care;

(e) Children from certain groups, such as the Roma and some immigrant groups, have particularly poor access to health care, leading to a high level of health concerns;

(f) High numbers of children smoke cigarettes and use alcohol.

149. **The Committee recommends that the State party:**

(a) Strengthen its health infrastructure, including through the recruitment of additional nurses and social workers;

(b) Ensure that all children have access to health care, irrespective of the insurance situation of their parents;

(c) Give particular attention to ensuring the access to health care of children from Roma communities and other economically disadvantaged groups;

(d) Take steps to lower the number of children who smoke cigarettes and use alcohol, including through the use of information campaigns.

Children with disabilities

150. Taking into consideration the efforts that have been made in the past 10 years and the recent involvement of children with disabilities and their families in policy making, especially in relation to the Ministry of Education's special education department, and the progress made in modifying access to streets, buses, trains and some buildings for persons with disabilities, the Committee remains concerned that:

(a) There is a lack of up-to-date national data on children with disabilities;

(b) Children with disabilities face discrimination, as indicated by the State party in its report;

(c) There is a shortage of qualified personnel to provide health and educational support to children with disabilities;

(d) Many children with disabilities in need of alternative care are institutionalized, that residential care for persons with disabilities remains of poor quality, limiting respect for children's rights, and that children in some institutions experience abuse and inhuman or degrading treatment;

(e) Children with disabilities are often not consulted in decisions that affect them;

(f) Access facilities for persons, including children, with physical disabilities to public areas, buildings and transport remain poor and legislation in this regard is not sufficiently enforced.

151. **Noting the State party's efforts in this regard, and in the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, para. 338), the Committee recommends that the State party:**

(a) Continue to implement programmes to improve respect for the rights of children with disabilities and ensure that children are consulted in decisions that affect them, in accordance with their age and abilities;

(b) Improve data collection on children with disabilities;

(c) Take steps, including through the use of information campaigns, to end discrimination against children with disabilities;

(d) Ensure that children with disabilities, in particular those children living in institutions, are protected from all forms of neglect, abuse or inhuman or degrading treatments;

(e) Recruit additional qualified personnel to provide, inter alia, health and educational support to children with disabilities;

(f) Strengthen efforts to limit recourse to institutional solutions for children with disabilities in need of alternative care and improve the quality of residential care;

(g) Continue efforts to establish adequate secondary schools for children with special needs, while also continuing to place emphasis on integrating children with disabilities into the ordinary education system where this would be in the best interests of the child, and ensure that all children with disabilities have access to secondary school education;

(h) Continue and strengthen efforts to ensure the easy access of children with disabilities to public areas, buildings and transport, including pavements, schools, hospitals, trains and buses;

(i) Strengthen the provision of training in daily living skills for children with cognitive disabilities.

Adolescent health

152. The Committee is concerned that:

(a) The existing plans for sex education in schools have not been fully implemented;

(b) Abortions are widely used as a method of birth control;

(c) There are weaknesses in family planning assistance to adolescents, related to the inadequacy of staff and suitable premises and equipment, as indicated by the State party in its report.

153. **The Committee recommends that the State party:**

(a) Ensure the provision of relevant health information to adolescents, including through the existing plans for sex education in schools, including a safe birth control practices;

(b) Strengthen its provision of family planning counselling and assistance with particular regard to reproductive health, and ensure that adolescents have free and confidential access to such assistance.

Social security and welfare

154. While noting bill (2646/1998) on the development of the national system of social care which will create a network of services - coordinated by the National Centre for Immediate Social Help - providing social care to individual families and groups in need of immediate attention and help, the Committee remains concerned that:

(a) The National Welfare Organization, created in 1998 to coordinate child welfare services, has not yet become fully operational;

(b) There is an insufficient number of social workers, lawyers, speech therapists, psychologists and other specialists working within the welfare system and available to support children and their families;

(c) There is a lack of children's welfare services in some areas of the country, such as on the Peleponnese and the Ionian islands;

(d) Many children and families from some distinct ethnic, religious, linguistic or cultural groups, such as the Roma, are not fully aware of their rights to social security and welfare and are consequently unable to claim such assistance.

155. **The Committee recommends that the State party:**

(a) Proceed with efforts to make the National Welfare Organization fully operational;

(b) Improve the availability of welfare specialists, including social workers, lawyers, speech therapists and psychologists;

(c) Ensure that all children, in all parts of the country, have easy access to welfare services;

(d) Strengthen the provision of information on social security and welfare benefits to children and families in need of such assistance from distinct ethnic, religious, linguistic or cultural groups, including the Roma.

Standard of living

156. The Committee is concerned that:

(a) Some children in the State party live in very poor conditions;

(b) Children from Roma communities are particularly exposed to substandard living conditions, including inadequate housing, poor sanitation and waste disposal, and no running water.

157. **The Committee recommends that the State party:**

(a) Ensure that all children have access to adequate living conditions;

(b) Give particular attention to assisting Roma families to improve the living conditions of their children.

7. Education, leisure and cultural activities

158. Acknowledging the many activities of the State party towards improving access to education and the quality of education and introducing multicultural teaching, the Committee remains concerned about a variety of problems that still exist, such as:

(a) The closing of many rural schools, thereby limiting the access of children from rural communities to education;

(b) Reports of xenophobia among teachers and students;

(c) The high overall drop-out rate and the very high drop-out rates among rural and Roma children;

(d) Reports that compulsory education requirements are not systematically enforced;

(e) Difficulties in gaining access to education for some groups of children, including asylum-seeking and refugee children who experience difficulties in registering for school and obtaining education certificates;

(f) The poor quality of education in many schools that teach in languages other than Greek, including the use of outdated textbooks and late term starting dates; the very high estimated illiteracy rates among Roma children; the low proportion of children from distinct ethnic, religious, linguistic or cultural groups who attend secondary school and that some children, particularly from these groups, are accepted in school only as auditors and not permitted to gain academic credit for their studies;

(g) The lack of sufficient space for schools, particularly in cities.

159. **The Committee recommends that the State party:**

(a) Continue ongoing efforts to increase the proportion of the national budget spent on public education;

(b) Ensure the access to education for all children in the State party, including increasing the enrolment and reducing the drop-out rates, giving particular attention to children in rural communities, children from Roma and other distinct ethnic, religious, linguistic or cultural groups, and children from disadvantaged backgrounds, including through the use of information campaigns targeting parents and local authorities;

(c) Ensure that legislation with regard to compulsory education is enforced, including through provision of the appropriate resources for this purpose;

(d) Encourage and support increases in the numbers of children from distinct ethnic, religious, linguistic or cultural groups attending secondary school;

(e) Expand the practice of recruiting second teachers who speak languages other than Greek to cover all relevant schools and major languages;

(f) Ensure that schools have sufficient space to function effectively, including for gymnasium and sports facilities;

(g) Continue and strengthen existing programmes of training and information for all teachers on multicultural concerns, with a view to the effective integration into the State party's school system of children from all distinct ethnic, religious, linguistic or cultural groups and other backgrounds;

(h) Ensure that all children are able to gain full academic credit for their school attendance;

(i) Implement these recommendations in the light of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education).

8. Special protection measures

Refugee/asylum-seeking children

160. Noting the progress made through the 1999 presidential decree expanding the rights of asylum-seekers and recent legislation allowing unaccompanied minors to apply for asylum, the Committee remains concerned at:

(a) The large number of asylum applicants whose initial requests are rejected leading, inter alia, to delays and detention at the State party's borders that may affect respect for the rights of the children involved;

(b) The frequent occurrence of delays throughout the administrative and/or judicial processes with regard to asylum or refugee applications, including delays in family reunification, which affect children;

(c) The absence of adequate public funding of legal aid for asylum-seekers and refugees;

(d) The insufficient attention provided for the specific needs and situation of unaccompanied child refugees;

(e) Reports of discrimination against asylum-seekers and refugees by, among others, police, employers and teachers which may affect the children involved;

(f) The detention of asylum-seekers, refugees and illegal immigrants in poor conditions and for long periods without appearing before a court;

(g) Limited access for asylum-seeking, refugee and illegal immigrant children to education and health services.

161. **The Committee recommends that the State party:**

(a) Consider means to reduce delays in the consideration of asylum requests and in subsequent administrative and judicial proceedings, which affect children, and to avoid the detention of children;

(b) Ensure that child asylum-seekers or refugees, and their families, have access to legal aid;

(c) Develop a procedure to attend to the specific needs and situation of unaccompanied child refugees;

(d) Make every effort to end practices of discrimination against child asylum-seekers or refugees and their families including, where relevant, through prosecution of those responsible for such discrimination and through the use of information campaigns;

(e) Ensure that, where children and their families - asylum-seekers, refugees or illegal immigrants - are detained, their conditions of detention comply with relevant international standards and with the provisions of the Convention in particular, and that detentions are reviewed by a court;

(f) Ensure that asylum-seeking, refugee and illegal immigrant children have access to education and health services, including psychological care;

(g) Ratify the 1961 Convention on the Reduction of Statelessness.

Child labour

162. The Committee is concerned:

(a) At the large number of children under the minimum age for working reported to be working in the State party, particularly in rural and/or disadvantaged communities;

(b) While noting the State party's provision in its report of data from 1992 to 1995, at the absence of precise up-to-date data on child labour practices.

163. **The Committee recommends that the State party:**

(a) Collect and maintain up-to-date data on the number of children who are working;

(b) Take steps to reduce the numbers of underage children working, giving particular attention to the agricultural, fishing, street trade, garment manufacturing, construction and tourism industries, and giving particular attention to children from disadvantaged communities.

Street children

164. The Committee is concerned:

(a) At the number of children working and/or living on the street, and the numbers of Roma children in particular;

(b) At the lack of access of these children to education and health services;

(c) That young children illegally in the State party are expelled from the country without a process to examine what action would be in their best interests.

165. **Noting the State party's efforts in this regard, the Committee recommends that:**

(a) Greater efforts be made to study the causes and scope of this concern;

(b) Additional efforts be made to provide a response through comprehensive social services to assist children living and/or working on the street, including innovative educational services adapted to the situation of these children and as an alternative to the formal education system, and in cooperation with NGOs;

(c) Efforts be strengthened to prevent children from falling into a situation of street life and to assist children in leaving street life, with a particular focus on Roma children.

Substance abuse

166. The Committee is concerned:

(a) At the smoking of cannabis and the sniffing of petrol and glue by children;

(b) That drug abuse rehabilitation services are available only in Athens.

167. **Noting the State party's efforts in this regard, the Committee recommends that the State party:**

(a) Implement its primary, secondary and tertiary prevention programmes for the prevention and combating of substance abuse throughout the country;

(b) Continue to cooperate with NGOs and to work with families in the context of rehabilitation programmes.

Sexual exploitation, trafficking and child prostitution

168. Welcoming the State party's recent bill in this regard, the Committee remains concerned:

(a) At reports of the sexual exploitation of children;

(b) At reports of children being trafficked into, and sometimes through, the State party for, inter alia, sexual exploitation;

(c) At the absence of available official statistics on the sexual exploitation and/or trafficking of children;

(d) At the lack of protection under the law of boy prostitutes.

169. **The Committee recommends that the State party**:

(a) Undertake a study on the causes and scope of sexual exploitation and trafficking of children, including by gathering reliable data on their incidence;

(b) With reference to the recommendations formulated in the Agenda for Action and the Global Commitment adopted at the World Congresses against Commercial Exploitation of Children, held in 1996 and 2001, develop a national plan of action to address the sexual exploitation and trafficking of children covering, inter alia, all aspects of assistance to child victims, and ensure that the plan is implemented in all regions of the country, including through the prosecution of persons responsible for such acts;

(c) Ensure that in the context of any cross-border efforts to address trafficking, the best interests of the children concerned are a primary consideration;

(d) Strengthen its efforts to identify and report on practices of child sexual exploitation and strengthen cooperation with NGOs working in this field;

(e) Strengthen its actions to assist child victims of such abuse, including through the provision of counselling and health and social services.

Juvenile justice

170. Noting that the State party has a system of special juvenile justice courts and that a committee was established to look into issues of concern in the criminal justice system and a new bill relating to the care of juvenile delinquents and children at risk, the Committee remains concerned:

(a) That children are protected by the juvenile justice system only up to age 17;

(b) At the prosecution of children for begging;

(c) At the lack of respect for juvenile justice standards with regard to arrest and detention proceedings, including the occasional detention of children with adults;

(d) At the proportionally high number of children from distinct ethnic, religious, linguistic and cultural groups involved in juvenile justice proceedings, especially involving arrest and imprisonment;

(e) That the right of children to legal representation or other appropriate assistance is not always systematically guaranteed;

(f) At the large number of juveniles detained pending trial, on non-felony offences, in spite of the fact that domestic legislation prohibits such detention unless the alleged crime is one that would carry a sentence of 10 years' imprisonment or more;

(g) At delays in judicial proceedings leading to long periods of pre-trial detention;

(h) That under the law children can be given a sentence of 20 years' imprisonment;

(i) That the right of appeal is restricted to sentences of imprisonment of more than one year;

(j) At the lack of a sufficient number of probation officers in all cities and regions of the country.

171. **The Committee recommends that the State party:**

(a) Develop laws, policies and mechanisms for all children under 18 and provide adequate resources to ensure the full implementation of juvenile justice standards and in particular articles 37, 40 and 39 of the Convention, as well the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's day of general discussion on the administration of juvenile justice held in 1995;

(b) Decriminalize begging by children while taking steps to ensure that such a change would not be exploited by adults who may use children to beg;

(c) Conduct juvenile justice and child rights training for, among others, police officers, detention officials, judges, social workers, psychologists and other personnel involved in the juvenile justice process;

(d) Ensure respect for all juvenile justice standards including the rights of children during arrest and detention procedures, minimum conditions of detention, the non-restricted rights of appeal and to legal representation, free interpretation where needed and other relevant assistance;

(e) Ensure that detention, including pre-trial detention, is used only as a measure of last resort and with due consideration for the seriousness of the crime, and that greater efforts be made to provide alternatives to detention;

(f) Abolish provisions allowing for a child to be imprisoned for a period of 20 years;

(g) Increase the number of trained probation officers and other relevant professionals.

Distinct ethnic, religious, linguistic or cultural groups

172. The Committee is particularly concerned at the level of respect for the rights of Roma children.

173. **The Committee strongly recommends that the State party continue and strengthen its efforts to develop and implement policies and programmes towards improved respect for the rights of Roma children, including through cooperation with representatives of the Roma themselves and through empowerment of Roma communities.**

9. Ratification of the Optional Protocols

174. **Noting the State party's signature of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, the Committee recommends that the State party proceed with ratification of both instruments.**

10. Dissemination of documentation

175. The Committee is concerned that the State party's initial report has received very little dissemination within the State party, including even within government ministries and among relevant NGOs.

176. **In light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned NGOs.**

Concluding observations of the Committee on the Rights of the Child: Gabon

177. The Committee considered the initial report of Gabon (CRC/C/41/Add.10), received on 21 June 2000, at its 756th and 757th meetings (see CRC/C/SR.756-757), held on 17 January 2002 and adopted, at the 777th meeting (CRC/C/SR.777), held on 1 February 2002, the following concluding observations.

A. Introduction

178. The Committee welcomes the submission of the State party's initial report, which followed the established guidelines. The Committee also takes note of the timely submission of the written replies to its list of issues (CRC/C/Q/GAB/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive dialogue it had with the delegation of the State party. The Committee acknowledges that the presence of a high-ranking and large delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

179. The Committee welcomes the adoption of:

(a) The Ordinance on Health Policy (Ordinance No. 001/95 of 14 January 1995);

(b) The Act on social welfare for disabled children (Act No. 919/95 of 3 July 1996);

(c) The Act on general organization of education (Act No. 016/96 of 9 August 1996);

(d) The Act on the status of refugees (Act No. 005/98);

(e) The Act on general measures for health and social welfare which abrogates Ordinance 64/69, which prohibited contraceptives (Act No. 001/2000);

(f) The Act enacted in 2001 which establishes the offence of trafficking of children;

(g) The 20/20 initiative for budgeting;

(h) The national Plan of Action against Poverty; and

(i) The Children's Parliament.

180. The Committee also welcomes the ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

C. Factors and difficulties impeding the implementation of the Convention

181. The Committee acknowledges that the external debt and the limited availability of skilled human resources have had a negative impact on the social welfare and on the situation of children and have impeded the full implementation of the Convention. Furthermore, the coexistence of customary law and statutory law does affect the implementation of the Convention in the State party where traditional practices are not conducive to children's rights.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

182. The Committee notes that new laws have been adopted by the State party to harmonize the existing legislation with the Convention and welcomes the comparative study of national laws, the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child that was carried out in 1998, but the Committee remains concerned at the weak implementation of legislation and at the fact that domestic legislation, and in particular customary law, still does not fully reflect the principles and provisions of the Convention.

183. **The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention. In that respect, the Committee recommends that the State party:**

(a) Undertake all steps to harmonize existing legislation, including customary law, with the Convention on the Rights of the Child;

(b) Consider the adoption of a comprehensive children's code which will reflect the general principles of the Convention on the Rights of the Child;

(c) Ensure the implementation of its legislation;

(d) Ratify the African Charter on the Rights and Welfare of the Child.

Coordination

184. The Committee, noting the central role of the Ministry for Family in the implementation of the Convention but at the same time the fact that various other ministries are also involved in its implementation, is concerned at the lack of coordination of activities. The Committee is also concerned at the lack of coordination and implementation of programmes set up within international cooperation.

185. **The Committee recommends that the State party take all necessary measures to establish an effective body or structure for the coordination of the implementation of the Convention on the Rights of the Child with adequate human and other resources and with the appropriate authority, and to develop a comprehensive plan of action. The Committee further recommends that the State party coordinate and implement programmes established within international cooperation.**

Independent/monitoring structures

186. The Committee takes note of Decree No. 01037 of 7 November 2000 establishing a National Commission on Human Rights. The Committee also notes the information that the National Committee for Children under the authority of the Minister of Justice is, inter alia, in charge of monitoring the implementation of the Convention. The Committee is concerned at the lack of clarity of the role of the Commission and the Committee, which may hamper the effective monitoring of the Convention.

187. **The Committee recommends that the State party:**

(a) Expedite the activities aiming at the establishment of an office, e.g. within the National Commission on Human Rights, to effectively monitor and evaluate progress in the implementation of the Convention at the national and at the local level in accordance

with the Principles relating to the status of national institutions (General Assembly resolution 48/134). This body should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and address them effectively;

(b) Continue efforts to develop good governance strategies and to combat corruption, especially in the social sector;

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Resources for children

188. While noting the priority given by the State party to increasing the budget allocated to education and health, the Committee expresses its concern at the decrease of governmental funding of social services. The Committee is also concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.

189. **The Committee recommends that the State party:**

(a) Develop ways to establish a systematic assessment of the impact of budgetary allocations on the implementation of children's rights and to collect and disseminate information in this regard;

(b) Make every effort to increase the proportion of the budget allocated to the realization of children's rights and, in this context, to ensure the provision of appropriate human resources, and to guarantee that the implementation of child policies are a priority.

Data collection

190. While welcoming the publication of the Demographic and Health Survey in March 2001, the Committee is concerned at the lack of a systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

191. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention disaggregated by gender, age, indigenous and minority groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children victims of abuse, neglect, or ill-treatment; children with disabilities; Pygmy children; and other children in need of special protection (see 8 below);

(b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Cooperation with civil society

192. Taking note of the Act on non-governmental organisations (Act No. 35/62), the Committee is concerned that insufficient efforts have been made to involve civil society in the implementation of the Convention.

193. **The Committee recommends that the State party:**

(a) Involve systematically communities and civil society, including children's associations, throughout all stages of the implementation of the Convention, including the formulation of policies and programmes and with respect to civil rights and freedoms; and

(b) Ensure that legislation regulating NGOs is fully implemented.

Dissemination of training on the Convention

194. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention (e.g. radio programmes, seminars and workshops), the Committee is of the opinion that these measures really need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

195. **The Committee recommends that the State party:**

(a) Strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;

(b) Translate the Convention into major written national languages;

(c) Involve systematically community leaders in its programmes in order to fight against customs and traditions which impede the implementation of the Convention, and adopt creative measures of communication for illiterate people;

(d) Undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(e) Strengthen the focus on children's rights in the educational and advocacy role of the National Commission on Human Rights;

(f) Introduce human rights education including the rights of the child, into the school curricula, beginning in primary schools;

(g) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

2. Definition of the child

196. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and girls (15 years), which is gender discriminatory and allows for the practice of early marriages.

197. **The Committee recommends that the State party set the same minimum age for marriage for girls and boys by increasing the minimum age for girls, and develop sensitization programmes involving community leaders, and the society at large, including children themselves, to curb the practice of early marriage.**

3. General principles

198. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), survival and development (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

199. **The Committee recommends that the State party appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

Non-discrimination

200. While noting that discrimination is prohibited under the Constitution (art. 2) and noting that the State party has taken measures to suppress discrimination against children born out of wedlock (article 671 of the Civil Code) and against disabled children (Act No. 19/95 of 13 February 1996), the Committee is concerned by the persistence of de facto discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups, such as girls, children with disabilities, children born out of wedlock, children living in rural areas and Pygmy children.

201. **The Committee recommends that the State party:**

(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2; and

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

202. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Respect for the views of the child

203. While welcoming the existence of a Children's Parliament, the Committee is concerned that, owing to traditional attitudes, respect for the views of the child remains limited within the family, in schools, in the courts, and before administrative authorities and in the society at large.

204. **The Committee encourages the State party to pursue its efforts to:**

(a) Promote and facilitate within the family, the school, the courts and administrative bodies, through the adoption of legislation, respect for the views of children and their participation in all matters affecting them, in accordance with their age and maturity, and in light of article 12 of the Convention;

(b) Provide educational information to, among others, parents, teachers, government administrative officials, the judiciary, traditional leaders and the society at large on children's rights to participate and to have their views taken into consideration;

(c) Promote the activities and take duly into consideration the decisions of the Children's Parliament and take care that all groups of children are represented.

4. Civil rights and freedoms

Birth registration

205. While taking note of the obligation to register officially all births and the process of computerizing these registries, the Committee remains concerned at the large number of children whose birth is not being registered.

206. **In the light of article 7 of the Convention, the Committee urges the State party to strengthen its efforts to ensure that all children are registered at birth, including through awareness-raising campaigns, and consider facilitating procedures of birth registration.**

Torture and ill-treatment

207. The Committee is deeply concerned that torture is still used by law enforcement personnel during police investigation and in detention centres as mentioned in the State party's report (para. 159).

208. **The Committee urges the State party to take all necessary measures:**

(a) To immediately put an end to these forms of torture or violence against children and to address their causes in order to prevent their recurrence;

(b) To prevent cases of torture through, inter alia, the presence of social workers during investigations and in places of detention;

(c) To establish an independent mechanism to investigate reports of torture and to bring to justice the persons responsible;

(d) To adopt legislative measures for the fullest compensation and rehabilitation of child victims of torture;

(e) To establish accessible and child-sensitive structures to receive and address complaints of children; and

(f) To train systematically the police forces, prison staff and the judiciary on the human rights of children.

5. Family environment and alternative care

Parental responsibilities

209. The Committee is concerned at the large number of single-parent families headed by women - many of them are not able to raise their children for financial reasons - and at the existence of polygamy which may, as acknowledged by the State party (para. 178 of its report), negatively affect the upbringing and development of the child.

210. **The Committee recommends that the State party:**

(a) Take all necessary measures to provide assistance to single-parent families headed by women in order to support them in bringing up their children, in light of article 18 (2) of the Convention;

(b) Undertake an in-depth and comprehensive study on the impact of polygamy with a view to finding out whether polygamy has negative consequences on the upbringing and development of the child and, on the basis of the results of this study, develop measures to address any negative impacts on the realization of the rights of the child within the family.

Recovery of maintenance

211. While domestic legislation includes provisions for maintenance allowance, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law and at the lack of legal provisions regarding maintenance for children born out of wedlock and children from single parent families.

212. **The Committee recommends that the State Party:**

(a) Make widely known the provisions of domestic legislation concerning maintenance allowance, especially to mothers who are illiterate, and support them if necessary in understanding legal actions;

(b) Ensure that professional groups dealing with this issue are adequately trained and courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay; and

(c) Take necessary measures to ensure as much as possible the maintenance of children born out of wedlock and children of single-parent families by their parents, particularly their fathers.

Children deprived of a family environment

213. The Committee is very concerned that current facilities available for the alternative care of children deprived of a family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care. In addition, the Committee is concerned that children themselves are not heard prior to and during their placement. The Committee is also concerned at the complicated adoption procedure which may lead to practices that do not pay adequate attention to the best interests of the child.

214. **The Committee recommends that the State party:**

(a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children including, inter alia, the introduction of effective legislation, the reinforcement of existing structures like the extended family, the improved training of staff, and the allocation of increased resources to relevant bodies;

(b) Systematize the hearing of the views of the child concerning his/her placement;

(c) Provide for regular periodic review of the placement of children in institutions;

(d) Review and, if necessary, change its legislation on adoption in order to guarantee that the best interests of the child are fully taken into account as well as other relevant articles of the Convention;

(e) Ratify the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption adopted in 1993 at The Hague; and

(f) Seek assistance from UNICEF in this regard.

Protection from abuse and neglect

215. While noting that child abuse is criminalized under the Penal Code and that the Department of Social Affairs is responsible for addressing cases of child abuse, and taking note of the bill under discussion to criminalize sexual violence against children, the Committee is deeply concerned at the high incidence of abuse within family and in schools in the State party, the lack of statistical data and a comprehensive plan of action, and the insufficient infrastructures.

216. **The Committee recommends that the State party:**

(a) Undertake a study on violence, including sexual violence, against children within the family, at schools and in other institutions in order to assess the scope, nature and causes of these practices with a view to adopting and implementing a comprehensive plan of action and effective measures and policies, in conformity with article 19 of the Convention, and to changing attitudes;

(b) Take all necessary steps to introduce the legal prohibition of the use of corporal punishment in schools and other institutions and at home;

(c) Properly investigate cases of violence, through a child-sensitive judicial procedure, notably by giving appropriate weight to children's views in legal proceedings, and apply sanctions to perpetrators with due regard given to guaranteeing the right to privacy of the child;

(d) Provide services for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention, and take measures to prevent the criminalization and stigmatization of victims;

(e) Take into consideration the recommendations of the Committee adopted on its days of general discussion on children and violence (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745);

(f) Seek technical assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

217. While taking note of the adoption of the Ordinance No. 001/95 on health and the establishment of a National Health Plan of Action, and while finding encouraging the new data on mortality rates, the Committee is deeply concerned at the still high infant and under-5 mortality rates and low life expectancy in the State party. The Committee also remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human) and that medicines are too expensive and not easily accessible. In addition, the Committee is concerned that the survival and development of children within the State party continue to be threatened by early childhood diseases such as acute respiratory infections and diarrhoea and by malaria, tuberculosis and malnutrition. Concern is also raised at the very low rate of breastfeeding. The Committee is further concerned at the regular outbreaks of epidemics of diseases such as the Ebola virus.

218. **The Committee recommends that the State party:**

(a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;

(b) Facilitate greater access to primary health services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; and promote proper breastfeeding practices;

(c) Develop high-quality and affordable health care in light of the Bamako initiative;

(d) Take the necessary measures to deal with emergency situations, including to combat epidemics of diseases such as the Ebola virus; and

(e) Pursue additional avenues for cooperation and assistance for the improvement of child health with, among others, WHO and UNICEF.

Vaccination

219. The Committee notes the existence of an extended vaccination programme and the provisions of articles 16 to 29 of the 1995 Ordinance on Health Policy dealing with the extension of vaccination coverage and follow-up, but remains deeply concerned that there is a lack of adequate resources, and that the vaccination coverage has worsened during the last past years.

220. **The Committee recommends that the State party continue and strengthen its efforts, including the provision of financial resources, to extend the vaccination coverage to all parts of the country. It also recommends that the State party seek further assistance from, among others, WHO and UNICEF.**

Adolescent health

221. While noting the adoption of the Act on general measures for health and social welfare which abrogates Ordinance 64/69 (Act No. 001/2000), the Committee remains concerned that insufficient attention has been given to adolescent health issues, including developmental, mental, and reproductive health concerns (note the rather high percentage of sexually transmitted diseases (STDs) among adolescents mentioned in the written replies), and substance abuse. The Committee is deeply concerned at the lack of education on contraception resulting in a high percentage of teenage pregnancy and its social and health-related consequences.

222. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this as a basis to formulate adolescent health policies and programmes with particular attention to the prevention of STDs and early pregnancies, notably through new efforts to educate adolescents about contraception; and

(b) Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents.

HIV/AIDS

223. While noting the existence of the National Anti-AIDS Programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to secure access to low-priced AIDS drugs), the Committee remains extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

224. **The Committee recommends that the State party:**

(a) Increase its efforts to prevent HIV/AIDS, taking into consideration the recommendations of the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);

(b) Urgently consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to family life, adoption, emotional care and education;

(c) Involve children in formulating and implementing preventive policies and programmes; and

(d) Seek further technical assistance from, among others, UNAIDS.

Children with disabilities

225. While noting the adoption of the Act No. 19/95 on "the welfare of the handicapped", the Committee is concerned at the very limited statistical data on children with disabilities in the State party and at the situation of children with physical and mental disabilities, and in particular at the limited specialized health care, education and employment possibilities available for them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

226. **The Committee recommends that the State party:**

(a) Ensure that adequate and comprehensive data are used in the development of policies and programmes for these children;

(b) Review the situation of children with disabilities in terms of their access to suitable health care, education services and employment opportunities;

(c) Allocate adequate resources to strengthen services for children with disabilities, to support their families and for training of professionals in the field;

(d) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;

(e) Sensitize the population to the human rights of children with disabilities;

(f) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69); and

(g) Seek assistance from, among others, UNICEF and WHO.

Standard of living

227. The Committee notes the challenging socio-economic situation and the sixth debt-rescheduling deal with the Paris Club (December 2000). However, it is concerned at the poor situation of sanitation and insufficient access to safe drinking water, especially in rural communities and suburban areas, and at the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, and children living in remote rural areas. In addition, the Committee is concerned at the deterioration of the social security system, which no longer ensures free access to health services for children.

228. **In accordance with article 27 of the Convention, the Committee recommends that the State party:**

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families, notably in suburban and rural areas, and to guarantee the right of children to an adequate standard of living;

(b) Cooperate and coordinate its efforts with civil society and local communities;

(c) Provide adequate financial resources to the social security system to restore free access to health services for children; and

(d) Provide information to families on their social rights.

7. Education, leisure and cultural activities

229. While noting the adoption of the Act on the general organization of education (Act No. 16/96), the high enrolment rate in primary education, the priority given to education and the increasing of the budget allocated to education, the Committee remains deeply concerned at the remaining high illiteracy rate in the State party which affects more women than men, the low enrolment in early childhood education, the very high percentage of repeaters and drop-outs in primary education, the low quality of education, the high teacher-pupil ratio, the very low percentage of children that complete primary education and the important regional disparities.

230. **The Committee recommends that the State party:**

(a) Take the necessary measures to identify the causes of the high rate of repetition and drop-out in primary schools and to provide remedies to this situation;

(b) Establish bridges between formal and non-formal education;

(c) Take necessary measures to remedy the low quality of education and the internal efficiency of the management of education;

(d) Raise awareness about the importance of early childhood education and develop programmes to increase the enrolment at the pre-school level;

(e) Extend resources to help children to go to secondary education;

(f) Take measures to enable children with disabilities to have access to regular schools and to ensure that these children have access to formal and vocational educational opportunities;

(g) Ensure that all girls and boys, wherever they live, including the least developed areas, have equal access to educational opportunities;

(h) Orient education towards the aims mentioned in article 29 (1) of the Convention and the Committee's general comment No. 1 on the aims of education;

(i) Implement the ban on corporal punishment in schools and train teachers in the use of alternative measures of discipline;

(j) Encourage the participation of children at all levels of school life; and

(k) Seek assistance from UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking children and unaccompanied children

231. The Committee notes the adoption of the new Act on the status of refugee (Act No. 005/98) and the creation of the National Commission for Refugees and welcomes the State party's policy with regard to refugee children.

232. **The Committee recommends that the State party implement the legislation and consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and continue its cooperation with international agencies such as UNHCR and UNICEF.**

Economic exploitation, including child labour

233. Noting the recent ratification (March 2001) of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the adoption (June 2001) of a law which can strengthen the enforcement of the labour law regarding children, the Committee is deeply concerned by the fact that child labour in the State party is still widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

234. **The Committee recommends that the State party:**

(a) Consider ratifying ILO Convention No. 138 concerning Minimum Age for Admission to Employment;

(b) Adopt and implement the national plan of action to prevent and combat child labour;

(c) Provide adequate human and other resources and training to the labour inspectorate and other law enforcement agencies in order to further strengthen their capacity to effectively monitor the full implementation of child labour legislation;

(d) Continue to seek assistance from ILO/IPEC.

Trafficking and abduction

235. While noting the criminalization of trafficking of children in a recent Act of 2001 and the establishment of a national inter-ministerial committee to fight against trafficking in children, and the serious commitment of the State party with regard to this issue, the Committee is deeply concerned at the large number of trafficked children, particularly children coming from abroad, who are still exploited, mostly in the informal labour market, or enslaved.

236. **The Committee encourages the State party to pursue its efforts:**

(a) To set up a comprehensive programme to prevent and combat the sale and trafficking of children;

(b) To implement appropriate policies and programmes for the rehabilitation and recovery of child victims and for access to basic services by children who are awaiting repatriation;

(c) To monitor the bilateral agreement with Benin and extend this cooperation to other countries where trafficked children come from, as well as envisage signing agreements with these countries;

(d) To carry out an awareness-raising campaign to prevent this phenomenon.

237. **In addition, the Committee recommends that the State party ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted in 2000, and the Convention on the Civil Aspects of International Child Abduction adopted at The Hague in 1980.**

Street children

238. The Committee expresses its concerns at the increasing number of street children and at the lack of specific mechanisms and measures to address this situation and to provide those children with adequate assistance.

239. **The Committee recommends that the State party:**

(a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with recovery and reintegration services when victims of physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families and community; and

(c) Undertake a study on the causes and scope of this phenomenon and establish a comprehensive strategy to address the high and increasing number of street children with the aim of preventing and reducing this phenomenon.

Commercial sexual exploitation and pornography

240. The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

241. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution and pornography, and implement appropriate policies and programmes to prevent this practice and for the rehabilitation and recovery of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.**

Administration of juvenile justice

242. The Committee is concerned at the absence of juvenile courts and juvenile judges, and the limited number of social workers and teachers working in this field. In addition, the Committee is deeply concerned at the failure to separate children from adults in jails (with the exception of the central jail in the capital); the poor conditions of detention, mainly due to the overcrowding in detention and prison facilities; the frequent recourse to and excessive length of pre-trial detention; the long length of time before juvenile cases are heard; the very limited possibilities for the rehabilitation and reintegration of juveniles following judicial proceedings; and the sporadic training of judges, prosecutors and prison staff.

243. **The Committee recommends that the State party take additional steps to reform the legislation concerning the system of juvenile justice in line with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System.**

244. **As part of this reform, the Committee particularly recommends that the State party:**

(a) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the State party;

(b) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time, limit by law the length of pre-trial detention, and ensure that the lawfulness of this detention is reviewed by a judge without delay and then regularly;

(c) Provide children with legal and other assistance at an early stage of the procedure;

(d) Provide children with basic services (e.g. schooling);

(e) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, notably by establishing special prisons for children with conditions suitable to their age and needs and by ensuring the presence of social services in all detention centres in the country; and in the meantime by guaranteeing separation from adults in all prisons and in pre-trial detention places all over the country;

(f) Ensure that children remain in regular contact with their families while in the juvenile justice system;

(g) Introduce regular medical examination of children by independent medical staff;

(h) Establish an independent child-sensitive and accessible system for complaints for children;

(i) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(j) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings;

(k) Take into consideration the recommendations of the Committee made at its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238);

(l) Request technical assistance in the area of juvenile justice and police training from, among others, the Office of the High Commissioner for Human rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Minorities

245. The Committee is deeply concerned about the poor situation of Pygmy children and their limited access to social services, including health care, immunization and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

246. **The Committee urges the State party to:**

(a) Undertake a study to assess the situation and the needs of Pygmy children and to elaborate a plan of action involving leaders of the Pygmy community to protect the rights of those children and ensure their social services;

(b) Seek adequate means to ensure birth registration, health care, etc.

9. Optional Protocols to the Convention on the Rights of the Child and acceptance of the amendment to article 43 (2) of the Convention

247. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee also notes that the State party has not yet accepted the amendment to article 43 (2) of the Convention for an expansion of the Committee from 10 to 18 members.

248. **The Committee recommends that the State party ratify and implement the two Optional Protocols to the Convention on the Rights of the Child, and encourages the State party to accept the amendment to article 43 (2) of the Convention.**

10. Dissemination of documentation

249. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Concluding observations of the Committee on the Rights of the Child: Mozambique

250. The Committee considered the initial report of Mozambique (CRC/C/41/Add.11) at its 761st and 762nd meetings (see CRC/C/SR.761-762), held on 22 January 2002, and adopted, at the 777th meeting (CRC/C/SR.777) held on 1 February 2002, the following concluding observations.

A. Introduction

251. The Committee welcomes the submission of the State party's extremely frank, self-critical, informative and very useful initial report, which followed the Committee's reporting guidelines (CRC/C/5), and the written replies to its list of issues (CRC/C/Q/MOZ/1). The Committee also notes the constructive dialogue held with the State party's large and high-ranking delegation.

B. Positive factors

252. The Committee notes the State party's achievement of significant economic improvements and the adoption by the Government of a National Plan for the Reduction of Poverty.

253. The Committee notes the State party's tremendous progress in repatriating and rehabilitating the hundreds of thousands of persons displaced from their homes during the armed conflict, and in de-mining. The Committee notes, further, the very significant contribution made by the State party to implementing the international landmines treaty.

254. The Committee notes the State party's efforts to:

(a) Undertake a comprehensive review of major legal codes, with a view to ensuring their compatibility with the Convention and the inclusion of the principle of the best interests of the child in the Constitution;

(b) Establish the Ministry for Women and Coordination of Social Action;

(c) Translate the Convention into some local languages;

(d) Inform civil servants about the Convention.

255. The Committee notes the State party's:

(a) Establishment of a children's parliament;

(b) Efforts to prevent discrimination against children, as described in the State party's report;

(c) Inclusion of environmental education in school curricula.

256. The Committee notes, further, the State party's efforts towards securing respect for the rights of children with disabilities, including:

(a) The undertaking of a survey and subsequent efforts to review legislation on persons with disabilities, covering education, health, transport, labour, defence, and finance;

(b) Council of Ministers resolution 20/99 approving the "Policy on the disabled person".

C. Factors and difficulties impeding the implementation of the Convention

257. The Committee notes:

(a) The heavy economic and social burden carried by the State party as a legacy of the civil war that ended in 1992;

(b) In spite of the progress made in de-mining, the continuing presence of landmines in many parts of the country;

(c) The difficulties created in the short term by the structural adjustment programmes and the constraints imposed by debt repayment schedules;

(d) Recent economic improvements notwithstanding, the extreme poverty of a large proportion of the State party's population; the continuing dependence of many families upon money sent home by Mozambicans working in neighbouring countries, and the recent decrease in this income;

(e) The weaknesses in national infrastructure, including road communications;

(f) The increasing migration of people from rural communities to urban centres that are unable to support such large populations.

258. The Committee notes the HIV/AIDS pandemic and its severe impact on children and on the State party as a whole.

259. The Committee notes, in addition, the frequent occurrence of natural disasters including, notably, severe flooding which has a serious social and economic impact.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

260. The Committee is concerned that there remain inconsistencies between domestic legislation and the Convention. The Committee is also concerned that, as indicated in the State party's report, in instances where it conflicts with international instruments domestic legislation prevails, and that inconsistencies between the two may lead to violations of the Convention.

261. **Noting the State party's significant efforts to address inconsistencies between domestic legislation and the Convention, the Committee recommends that the State party:**

(a) Continue and strengthen its efforts to amend legislation so that it conforms fully with the Convention, or to adopt legislation that so conforms;

(b) Take steps to ensure that no legislation is implemented in a manner that would infringe the State party's obligations under the Convention;

(c) Pursue its efforts to resume the process of drafting and adopting a comprehensive children's code incorporating, inter alia, the principles of the Convention;

(d) Seek assistance from UNICEF and OHCHR in this regard.

Implementation, coordination and evaluation

262. While noting the valuable contribution of the Ministry for Women and Social Affairs (MICAS) in supporting the implementation of the Convention by other sectoral ministries, the Committee remains concerned:

(a) That there is no single body with responsibility for the development of child rights policy, plans and programming;

(b) That the Convention's implementation is insufficiently coordinated between the various ministries and other relevant organs, and between the national and local levels;

(c) That there are severe disparities in the implementation of the Convention in rural and urban areas.

263. **The Committee recommends that the State party:**

(a) Establish a single mechanism for the development of child rights policy, plans and programming, and for the coordination of the State party's implementation of the Convention;

(b) Significantly strengthen MICAS with additional financial, technical and human resources;

(c) Make special efforts to improve the implementation of the Convention in rural areas, with a view to reducing disparities with how the Convention is implemented in urban centres;

(d) Proceed to implement the National Plan for the Reduction of Poverty.

Independent monitoring structure

264. The Committee is concerned at the absence of an independent mechanism for monitoring the implementation of the Convention.

265. **The Committee recommends that the State party:**

(a) Establish an independent body with responsibility for monitoring implementation of the Convention, in accordance with the Paris principles;

(b) Ensure that any monitoring mechanism include child-sensitive procedures through which children can make complaints of abuses of their rights.

Resources for children

266. The Committee is concerned that many State institutions of direct relevance to the implementation of the Convention, including in the areas of health and education, are severely under-resourced and lack material and human resources, in particular.

267. **In the light of article 4 of the Convention, the Committee recommends that the State party increase the proportion of resources spent on health, education and other priority areas, to the maximum extent possible, with a view to ensuring access to these services for all children, where needed within the framework of international cooperation.**

Data

268. The Committee joins the State party in expressing serious concern at the continuing lack of an organized system for gathering data of relevance to the implementation of the Convention.

269. **Noting the State party's efforts in this regard, the Committee urges the State party to:**

(a) Develop further its data collection mechanisms with a view to creating an effective system for collecting disaggregated data on all areas of relevance to the implementation of the Convention;

(b) Strengthen its efforts to use the data collected to improve the implementation of the Convention and to assess the progress achieved.

Dissemination of the Convention

270. While noting recent efforts, including the translation of certain articles of the Convention into some local languages, the Committee is concerned that the provisions of the Convention are insufficiently known and understood in the State party.

271. **The Committee recommends that the State party:**

(a) Continue efforts to translate the whole of the Convention into the most widely spoken national languages and that these translations be used for, inter alia, radio and theatre presentations accessible to persons who are illiterate;

(b) Strengthen and increase efforts to provide child rights training for professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, national ministerial and local government officials with responsibility for children's rights - children and the population in general on the Convention and its principles and provisions;

(c) Adopt measures to ensure that such an information campaign reaches, inter alia, rural communities and illiterate persons.

2. Definition of the child

272. The Committee is concerned:

(a) At differences in the minimum age of marriage for girls (14) and boys (16);

(b) That the varying definitions of the child under local customary law may be inconsistent with the Convention;

(c) That domestic legislation permits the conscription of children under the age of 18 under certain circumstances.

273. **The Committee recommends that the State party:**

(a) Increase the age of marriage of girls to that of boys;

(b) Ensure that the definitions of the child under local customary law are consistent with relevant provisions of the Convention;

(c) Ensure that domestic legislation prevents the conscription of young people under the age of 18; and consider establishing 18 as the minimum age for voluntary recruitment.

3. General principles

Non-discrimination

274. While noting that the State party's Constitution prohibits discrimination, the Committee is concerned that:

(a) Girls are particularly vulnerable to gender discrimination and that some aspects of customary law, particularly in the context of property rights, reinforce such discrimination;

(b) Aspects of domestic legislation, including the Law on the Family and Inheritance, are discriminatory against women and, in this context, may negatively affect respect for the rights of children, especially girls;

(c) Discrimination against children with disabilities is prevalent, as indicated in the State party's report, and girls with disabilities may suffer multiple forms of discrimination.

275. **The Committee recommends that the State party:**

(a) Continue its efforts to ensure the compatibility of all domestic legislation and of customary law practices with article 2 of the Convention, giving particular attention to gender discrimination;

(b) Make every effort to implement the 1999 Land Law in such a way as to address some aspects of discrimination against women;

(c) Make every effort to address all forms of discrimination against children with disabilities and ensure that such discrimination is prohibited under the law;

(d) Undertake public education campaigns directed towards ending all forms of discrimination, as provided for in the Convention;

(e) Seek assistance from, inter alia, UNICEF, particularly with regard to the education of girls, and the involvement of communities in eliminating gender inequalities.

276. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Best interests of the child

277. While acknowledging that the principle of the best interests of the child has been included in the Constitution, the Committee is concerned that:

(a) The best interests principle is not included in all other legislation relevant to children;

(b) As noted in paragraph 89 of the State party's report, "There is no uniform or systematic acceptance of the importance of this concept at central, provincial or local levels" and that the principle "is sometimes absent from the definition of policies that are important for the lives of children".

278. **The Committee recommends that the State party:**

(a) Take action to ensure that the best interests principle is included in all relevant legislative instruments and is taken into consideration in all policy-making processes and programmes of relevance to children and the implementation of the Convention;

(b) Ensure that administrative, judicial, legislative and other relevant officials are given training on the meaning and implementation of the best interests principle, with a view to ensuring its consistent application at central and local government levels.

The right to life, survival and development

279. The Committee is concerned that:

(a) Ninety per cent of cases of people being run down by cars involve children, as indicated in the State party's report;

(b) Landmines continue to pose a serious threat to children's survival and development.

280. **The Committee recommends that the State party:**

(a) Develop and implement a policy for the prevention of accidents involving children, including through information campaigns targeting children, drivers, traffic police, teachers and parents;

(b) Continue efforts to clear landmines and ensure the provision of physical rehabilitation and other relevant support to victims.

Respect for the views of the child

281. While noting the State party's efforts to establish a child legislative assembly and consultations of children throughout the country, the Committee remains concerned that:

(a) The principle of respect for the views of the child is not expressly provided for in legislation;

(b) Children's views are not systematically sought and taken into consideration with regard to decisions that may affect them.

282. **The Committee recommends that the State party:**

(a) Continue and strengthen efforts to ensure the participation of children in all spheres that affect their lives, including through reinforcing the work of the children's parliament and the consideration of its recommendations;

(b) Adopt legislation providing for the principle of respect for the views of the child;

(c) Implement measures, including information campaigns and the training of professionals and children on this right, with a view to ensuring that children's views are respected, including in the family, at school and in institutions.

4. Civil rights and freedoms

Birth registration

283. The Committee is concerned that:

(a) According to estimates, a very large proportion of children are not registered at birth and that the State party has no accurate statistics as to the scale of this phenomenon;

(b) Access to birth registration facilities among rural populations is extremely limited by distance, the time delay for registration and sometimes by cost;

(c) There is widespread misunderstanding, for numerous reasons, of the purposes of birth registration.

284. **The Committee recommends that the State party:**

(a) Take steps to increase significantly the numbers of children who are registered at birth, and make every effort to conduct late registration of older children who were not registered at birth;

(b) Ensure that registration is free, explore the use of mobile registration facilities to facilitate access for rural populations and pursue current efforts relating to extending the period within which registration must be completed;

(c) Conduct information campaigns for the general population explaining the importance and purposes of birth registration.

Access to information

285. The Committee is concerned that:

(a) Children have insufficient access to appropriate information;

(b) Children living in rural communities are particularly disadvantaged;

(c) There is an absence, as noted in the State party's report, of administrative or legislative provisions protecting children from harm with regard to the content of information.

286. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to ensure that all children have access to appropriate information, for example through further elaboration of radio programmes for children, the provision of radios and newspapers for use by groups of children in schools and other contexts, and through itinerant theatre presentations;

(b) Develop legislation or administrative guidelines to protect children from information which may be harmful to them.

Ill-treatment and violence against children

287. The Committee is concerned:

(a) At acts of violence and abuse, including sexual abuse, committed against children in schools and alternative care institutions and by members of the public or the police force in the streets and that boys are not as well protected from sexual offences as girls;

(b) That corporal punishment is widely practised in the home, in schools and in other public institutions, such as prisons, and in alternative care contexts;

(c) That, as noted in a 1997 study, sexual abuse "is mainly perpetrated by relatives, through forced marriage, or through rape within marriage, or even as part of magical-religious practices" and that "sexual abuse accounts for most cases of abuse against minors recorded in all the country's provinces";

(d) That the State party has insufficient mechanisms for monitoring abuse and neglect of children in the family and that, although a telephone hotline exists for children to make complaints of abuse, very few children have access to a telephone or the means to pay for a call.

288. **The Committee recommends that the State party:**

(a) Take action to address acts of violence and abuse, including sexual abuse, committed against children in the family, in schools and in the streets through, inter alia, the use of training and information campaigns on the impact of violence on children, children's rights and the prosecution of perpetrators;

(b) Take action to end the practice of corporal punishment in the home, in schools and in all other contexts, including through legislative and administrative measures, as well as public education initiatives to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment;

(c) Make every effort to ensure the provision of treatment and rehabilitation to the victims of violence and abuse;

(d) Take note of the recommendations adopted by the Committee at its 2000 and 2001 days of general discussion on children and violence (CRC/C/100, para. 688, and CRC/C/111, paras. 701-745);

(e) Develop mechanisms to monitor the situation of children in the family and record and end abusive practices;

(f) Develop child sensitive mechanisms through which children can report incidents of sexual abuse, including the large majority of children who do not have access to telephones.

5. Family environment and alternative care

289. The Committee remains concerned that:

(a) As noted by the State party in its initial report, "parents and other family members frequently do not fulfil their obligation to guide the minors under their responsibility" and that weaknesses in family structures have led to the greater vulnerability of children;

(b) Children in rural areas are sometimes used to settle financial and other disputes, with families sending their children to work for periods of time to settle debts;

(c) As noted by the State party in its initial report, "children and women are victims of domestic violence".

290. **The Committee recommends that the State party:**

(a) Take steps to ensure that parents and families understand and fulfil their obligations towards children and consider ways to provide families with additional support, including through community structures;

(b) Take action to address domestic violence against children and women in the family, including through improved monitoring, effective reporting, treatment and support of victims, prosecution of those responsible and the use of information campaigns;

(c) End the practice of using children to settle debts.

Illegal transfer

291. The Committee is concerned that:

(a) As noted in the State party's report, "mechanisms are not sufficiently strong to prevent the illegal transfer or non-return of minors", including in the context of the separation of parents and where one parent chooses to leave with a child;

(b) The issue of the responsibility of stepfathers for the children from a wife's earlier relationship is unclear.

292. **The Committee recommends that the State party:**

(a) Implement measures and develop mechanisms to prevent the illegal transfer or non-return of minors;

(b) Adopt and implement international and domestic legislation to address these concerns, including the 1980 Hague Convention No. 28 on the Civil Aspects of International Child Abduction and the 1996 Hague Convention No. 34 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.

Alternative care

293. While noting the State party's preference for family forms of alternative care and a policy of reducing institutionalization, the Committee remains concerned that:

(a) A very large number of children are in need of alternative care, in particular the many children who have become orphans because of HIV/AIDS;

(b) Current alternative care arrangements in the State party are insufficient;

(c) There is no established legislation or procedures for alternative care, or for monitoring such care;

(d) Institutional care establishments have insufficient resources;

(e) Violence is regularly committed against children in the context of alternative care;

(f) The lack of legislative or administrative frameworks ensuring the protection of children who are cared for under the "substitute family" practice (described in the State party's report) can lead to violations of children's rights.

294. **The Committee recommends that the State party:**

(a) Make every effort to improve alternative care for children, giving particular attention to HIV/AIDS orphans;

(b) Establish standards and procedures, guaranteed in legislation, for alternative care, including in the domains of health, education, safety and overall respect for the Convention, giving particular attention to protecting the inheritance rights of children in alternative care;

(c) Encourage and monitor the current practice of placement within the extended family, assuring the rights of children cared for in this context;

(d) Develop legislative or administrative rules and guidelines for ensuring the protection of children who are cared for under the "substitute family" practice described in the State party's report;

(e) Ensure the provision of sufficient resources for alternative care institutions with regard, inter alia, to staff training, food, health, clothing, water, electricity and school material requirements;

(f) Strengthen monitoring procedures, ensuring sufficient human and other resources for the regular and effective monitoring of all forms of alternative care for children.

6. Basic health and welfare

295. The Committee is deeply concerned that:

(a) Health service coverage is still insufficient in terms of infrastructure, personnel and accessibility for the general population;

(b) Infant and under-5 mortality rates are extremely high;

(c) Maternal mortality is very high, owing in part to insufficient prenatal care and assistance at birth and to the large number of clandestine abortions and the poor conditions in which they are carried out;

(d) The incidence of low birth weight, stunted growth, malaria, diarrhoea respiratory infections and malnutrition is very high.

296. **While recognizing the significant progress achieved in the past 10 years and noting recent increases in health investment and immunization rates, the Committee urgently recommends that the State party:**

(a) Continue to improve access for all children and their families to primary health care;

(b) Give urgent attention to and design practical measures for reducing infant, under-5 and maternal mortality rates, addressing malnutrition, malaria, diarrhoea and respiratory infections, and ensuring that abortions can be conducted with all due attention to minimum standards of health safety;

(c) Make every effort to improve public knowledge of basic health-care measures, including in the areas of prevention and reproductive health, and provide for the availability of affordable contraception in order to ensure that unwanted pregnancies do not occur;

(d) Seek technical assistance from UNICEF and WHO in this regard.

Children with disabilities

297. While noting the State party's 1999 national policy on disabled persons, the Committee remains concerned that:

(a) The State party provides insufficient public assistance to children with disabilities, relying on non-governmental organizations for the bulk of assistance activities;

(b) Societal discrimination against children with disabilities remains serious, with girls with disabilities suffering the additional burden of gender discrimination, and that, in some cases, parents do not allow their disabled children to leave their home;

(c) Children with disabilities often have serious difficulty in obtaining transportation and in gaining access to public buildings, including to hospitals and schools;

(d) Children with disabilities have very limited access to formal education.

298. **The Committee recommends that the State party:**

(a) Strengthen its provision of public assistance to children with disabilities, including through the prompt implementation of the national plan on persons with disabilities;

(b) Make every effort to assure the full integration of children with disabilities into everyday life as enjoyed by other children, including family life, education, leisure and professional training;

(c) Increase the numbers of schools and other institutions for children with disabilities who have special needs;

(d) Take action to address societal discrimination against children with disabilities, noting also links with gender discrimination, including through children's rights information programmes targeting parents, teachers, social workers, communities in general and children;

(e) Take steps to provide improved transportation facilities for persons with disabilities and in need of assistance, including through the provision of wheelchairs or other specialized equipment;

(f) Implement measures to improve the access of children with disabilities to public buildings, including through legislative and administrative measures;

(g) Ensure respect for the right of children with disabilities to receive a formal education;

(h) Take note of the recommendations made by the Committee following its 1997 general day of discussion on the rights of children with disabilities.

Adolescent health

299. While noting the State party's efforts to establish the "Adolescent and Youth Programme", the Committee remains concerned at:

(a) The high incidence of adolescent pregnancy and related health concerns;

(b) The high incidence of medical problems related to abortions by adolescent mothers;

(c) The high incidence of early marriage of girls.

300. **The Committee recommends that the State party:**

(a) Strengthen its efforts to establish the "Adolescent and Youth Programme";

(b) Improve the provision of health care for adolescents, giving particular attention to reproductive health concerns, including in the context of family planning, abortion and sexually transmitted diseases, to mental health and to concerns relating to adolescent development;

(c) Make every effort to prevent the early marriage of children, particularly girls.

HIV/AIDS

301. While noting the State party's efforts in this domain, including the establishment of the National AIDS Council (NAC) in 2000 and the adoption of a comprehensive multisectoral strategic plan to combat HIV/AIDS, the Committee remains deeply concerned at:

(a) The very serious impact of HIV/AIDS on the cultural, economic, political, social and civil rights and freedoms of children infected with or affected by HIV/AIDS, including the Convention's general principles and with particular reference to their rights to non-discrimination, health care, education, food and housing, as well as to information and freedom of expression;

(b) The extremely high, and rising, incidence of HIV/AIDS infection in the State party;

(c) Mother to child transmission of HIV/AIDS and related factors, such as the lack of access of mothers to affordable breast-milk substitute, which would help reduce the risk of transmission;

(d) The particular situation of children orphaned by HIV/AIDS, who are particularly vulnerable to, inter alia, commercial exploitation, abuse and neglect;

(e) The continuing lack of knowledge among many people of how HIV/AIDS is transmitted and the role of men in terms of inadequate prevention and repeated transmission;

(f) The very negative impact of HIV/AIDS on the numbers of professional workers, such as teachers, and ultimately on the State party's capacity to develop its human resources.

302. **The Committee recommends that the State party:**

(a) Integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies on behalf of children infected with and affected by HIV/AIDS, as well as their families, including by making use of the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37), with particular reference to children's rights to non-discrimination, health, education, food and housing, as well as their rights to information and freedom of expression;

(b) Conduct a national study on public attitudes, taboos and bias with regard to HIV/AIDS and infected persons in order to strengthen existing policies and programmes with regard to HIV/AIDS;

(c) Continue and strengthen its efforts to address the incidence of HIV/AIDS, including through the current multisectoral approach, through improving the education of the public as to how it is transmitted, can be prevented and treated, with particular focus on the training of relevant professionals, such as teachers and civil servants;

(d) Give particular attention to the role of men in the prevention of HIV/AIDS transmission and involve children in discussions on prevention strategies;

(e) Continue and strengthen its assistance to children infected or affected by HIV/AIDS, with particular attention to those who have been orphaned by HIV/AIDS, including the provision of medication for treatment;

(f) Strengthen efforts to reduce mother to child transmission of HIV/AIDS including through voluntary prenatal HIV/AIDS testing of mothers and assistance to infected mothers in obtaining breast-milk substitutes for their children;

(g) Include children in devising and implementing strategies for HIV/AIDS prevention;

(h) Seek technical and other relevant assistance from UNICEF, UNAIDS and WHO in this regard;

(i) Take note of the recommendations made by the Committee following its 1998 day of general discussion on "children living in a world with AIDS".

Social security and standard of living

303. While noting the State party's poverty eradication strategy, the Committee remains concerned that:

(a) Absolute poverty continues to affect a very high proportion (around two thirds) of the State party's population;

(b) Only a very small proportion of the population has access to electricity, sanitation and clean running water in their homes;

(c) Many children have inadequate clothing;

(d) The current social security system covers only a very small number of children and their families in need of such protection.

304. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to address poverty, including through international cooperation;

(b) Consider and implement measures through which a significantly larger number of children and their families may benefit from minimum of social security protection;

(c) Continue its efforts to improve housing conditions, including sanitary conditions, in both rural and urban areas, and continue to implement its national water policy;

(d) Make every effort to ensure that all children have adequate clothing;

(e) Seek assistance in the form of international cooperation in this regard.

7. Education, leisure and cultural activities

305. While noting the State party's significant efforts in this domain, including the construction or renovation of many primary schools in the 1990s, the provision of free school materials to many children, increases in primary school enrolment rates, efforts to improve the access to education of girls and to train teachers, the fall in the repetition and drop-out rates, the Committee remains concerned that:

(a) The education system requires greater financial resources;

(b) Although gradually improving, basic literacy among children remains low;

(c) Insufficient efforts have been made to implement compulsory education requirements;

(d) Enrolment in formal education, at 81.3 per cent (as quoted by the State party for 1998 in its initial report), remains low and is particularly low in certain regions of the country, and that only a very small proportion of children enrol in, and complete, secondary education;

(e) Girls continue to have less access to education than boys above the primary school level; literacy levels among girls, particularly those over 15, are extremely low; less importance is placed by parents and communities on the education of girls than of boys; some practices, such as excessive domestic work required of girls, early marriage and early pregnancy, contribute to limiting girls' access to education; and only 20 per cent of students who enter higher (tertiary) education are girls;

(f) Education infrastructure and resources remain insufficient, including with regard to the limited quality, and insufficient number, of classrooms, overcrowding in schools, and the cost (for children and families) of books and other materials and school equipment;

(g) Many teachers have received no or insufficient formal training;

(h) The capacity of special education institutions is very limited;

(i) There is alleged corruption and sexual abuse and economic exploitation of pupils by professionals, including teachers, in the school system;

(j) There is very limited access to higher (tertiary) education.

306. **Noting the State party's own recommendations in its initial report, the Committee recommends that the State party:**

(a) Raise the education budget to the maximum of available resources, including through additional international cooperation;

(b) Strengthen the institutional capacity and infrastructure of State education, including with regard to administration, management, educational planning, the training of teachers and other staff, the construction of additional schools in isolated regions, and the provision and quality of textbooks and other school materials and equipment;

(c) Increase the rate of child enrolment in primary school and completion of compulsory education, inter alia by making every effort to ensure that compulsory education is free for all children, including with regard to textbooks, uniforms and transportation to school for disadvantaged children and families;

(d) Take steps to increase significantly the numbers of children completing secondary education;

(e) Make greater efforts to ensure that girls have the same opportunities as boys to attend formal education; take steps to ensure that the education of girls is seen, by parents, families and communities, as of equally important as that of boys and that education is seen as a right of all children; address traditional and other practices, such as excessive domestic work, which prevent girls from attending formal education; ensure that pregnancy does not lead to the banning of girls' attendance at school; consider recruiting

and training more women teachers; make particular efforts to support girls seeking higher education; make every effort to implement its own policies; seek technical assistance from UNICEF in this regard;

(f) Extend the pilot project to achieve implementation of human rights and democracy components within the school curriculum nationwide;

(g) Increase the number, capacity and quality of special education institutions for children with special education needs;

(h) Improve access to higher (tertiary) education, including vocational schools through, inter alia, the strengthening of secondary school education;

(i) End practices of corruption and sexual abuse and economic exploitation of pupils in the education system;

(j) Promote coordination between the public and private sectors to ensure a sustainable supply of textbooks, basic learning materials development and training activities;

(k) Continue to support the use of non-formal education structures, such as community schools, servicing children who are unable to return to their regular schools;

(l) Give particular attention to the Committee's general comment on article 29.1 of the Convention;

(m) Seek technical assistance from UNICEF and UNESCO in this regard.

Leisure

307. The Committee is concerned that:

(a) Children living in urban centres have very few areas, such as parks, in which they can play safely;

(b) As noted in the State party report, "there is no mandatory allocation and conservation of recreational areas for children in urban development plans [and] the number of such places has declined or is virtually non-existent in large towns".

308. **The Committee recommends that the State party:**

(a) Provide areas, such as parks, urban centres, which can be used by children for leisure activities;

(b) Consider adopting legislation or administrative rules and making an appropriate budgetary allocation, in order to ensure that leisure areas for children remain a priority in urban planning decisions.

8. Special protection measures

Refugee and internally displaced children

309. While noting the State party's significant efforts in the past to provide assistance to refugees and internally displaced persons, the Committee remains concerned that:

(a) Former refugees and displaced persons, seeking to resettle in their communities, do not always have full access to education and health services;

(b) Children who seek to cross through, or leave, Mozambique and to enter neighbouring countries are sometimes treated violently by border officials of those countries when caught.

310. **The Committee recommends that the State party:**

(a) Make additional efforts to assist former refugees and internally displaced persons to resettle in their communities, including through assuring full access to education services, and continue and strengthen family reunification efforts;

(b) Improve its collaboration, inter alia through bilateral arrangements and agreements, with relevant neighbouring countries to ensure that children who seek to cross through, or leave, Mozambique for those countries are treated in full respect of the Convention's provisions.

Children in armed conflict

311. The Committee joins the State party in expressing concern that:

(a) As noted in paragraph 548 of the State party's report, "the needs of children formerly affected by the war continue to warrant special concern";

(b) There are still a large number of adolescents and young people, in both urban and rural areas, affected by the conflict who lack appropriate education and/or employment opportunities.

312. **Acknowledging the significant efforts made in this regard, the Committee recommends that the State party:**

(a) Continue to give attention to the needs of children affected by the war and end the reconscription of children;

(b) Give particular attention to providing education and/or employment opportunities for adolescents and young people, in both urban and rural areas.

Economic exploitation

313. Noting the measures taken by the State party to assess the causes of child labour and to assess existing legislation setting the minimum age of labour at 15 and regulating the work of children aged 15 to 18 and scope of child labour, the Committee is concerned that:

(a) Many children work, including children under 15;

(b) Many parents and families require children to work as a means of overcoming the extreme poverty they face;

(c) The scale and intensity of child labour prevents many children from attending school;

(d) Child labourers are the victims of economic exploitation and work in very poor conditions, including without insurance or social security benefits, with very low wages, for long hours and in dangerous and/or abusive conditions;

(e) The use of children, particularly girls, as domestic workers is rising;

(f) There is no national plan to combat child labour.

314. **The Committee recommends that the State party:**

(a) Devise a national plan of action to address child labour concerns, and seek technical assistance from ILO/International Programme on the Elimination of Child Labour (IPEC);

(b) Make greater efforts to reduce the numbers of children working in the formal and informal sectors, with particular emphasis on younger children;

(c) Make every effort to ensure that children do not work in conditions that are harmful to them and that they receive appropriate wages and other work-related benefits, with particular reference to article 32 of the Convention;

(d) Make every effort to ensure that those children who do work, in accordance with international standards, continue to have access to formal education;

(e) Ratify ILO Conventions 138 concerning the Minimum Age for Admission to Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(f) Ensure the implementation and enforcement of all domestic and international legal protections for children in this regard.

Sexual exploitation; trafficking

315. The Committee is concerned that:

(a) Child prostitution is practised and, according to recent evidence is increasing, especially in the Maputo, Beira and Nacala areas and in some rural areas;

(b) Some children are victims of trafficking for the purposes of prostitution;

(c) As noted by the State party in its initial report (para. 646), "the police's poor knowledge of the main legislation protecting children from prostitution … their ignorance of children's rights" and the "lack of guidance on the role of police intervention in this field, as well as the absence of institutions dedicated to the recovery of the child victims" are factors contributing to the vulnerability of children to exploitation.

316. **The Committee recommends that the State party:**

(a) Take action to end trafficking, child prostitution and other forms of sexual exploitation of children, with particular attention to the Maputo, Beira and Nacala areas and in relevant rural areas;

(b) In line with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children, develop a national plan of action to address the sexual exploitation of children, including with regard to cross-border trafficking and exploitation;

(c) Continue and strengthen the 1997 campaign against the sexual exploitation of children, entitled "Break the silence and end child prostitution" and consider expanding it to include, for example, efforts to educate hotel staff and other relevant workers in the tourist industry on the prevention of child prostitution;

(d) Avoid the prosecution of child victims of prostitution or related offences;

(e) Develop mechanisms to identify the sexual exploitation of children and to work with law enforcement agencies to recover children who are being exploited;

(f) Continue and strengthen training for the police and social services on children's rights and concerns with regard to child prostitution;

(g) Implement its own recommendations (as described in paragraph 637 of the State party's report), including:

The revision and implementation of legislation on child prostitution and the sexual abuse of minors;

The development of public education programmes targeting parents, families, schools and the public in general;

The provision of legal, psychological and medical support, including rehabilitation services, for victims.

Street children

317. The Committee is concerned that:

(a) There are large numbers of children living on the street in urban areas;

(b) Street children are vulnerable to, inter alia, sexual abuse, violence, including from the police, exploitation, lack of access to education, substance abuse, sexually transmitted diseases, HIV/AIDS and malnutrition;

(c) The primary response to the situation of these children, as described by the State party in its report, is placing them in institutions.

318. **The Committee recommends that the State party:**

(a) Strengthen its efforts to ascertain the number and location of street children;

(b) Make additional efforts to provide protection to street children and to provide them with access to education and to health and other services;

(c) Strengthen efforts to assist children to leave the street, with emphasis on alternatives to placing them in institutions and special attention to family reconciliations.

Substance abuse

319. While noting the establishment of a central office for the prevention and control of drug abuse, the Committee is concerned that:

(a) Substance abuse, including inhaling glue and the consumption of narcotic drugs, is practised by children, particularly street children, in the State party, particularly in the south of the country;

(b) There is a lack of statistics on substance abuse among children;

(c) There are no specific institutions in the country to treat drug-addicted children.

320. **The Committee recommends that the State party:**

(a) Strengthen its efforts to prevent substance abuse by children, giving particular attention to street children and other vulnerable groups, including children in the south of the country;

(b) Include in school curricula education programmes and information on drug abuse and its prevention;

(c) Make additional efforts to monitor the incidence of substance abuse and to keep accurate statistics on the phenomenon;

(d) Establish mechanisms and structures through which assistance, including health and rehabilitative assistance, can be provided to children who abuse substances;

(e) Consider adopting legislation regulating the sale of harmful substances to children;

(f) Implement its own recommendations as set out in its initial report, including: developing improved methods for fighting substance abuse, additional "technical training for staff involved in preventing and combating drug abuse, reducing the vulnerability of Mozambique's borders and other entry and exit points, institutional capacity building, and strengthening the anti-drug education strategy at all levels".

Juvenile justice

321. The Committee is concerned that:

(a) Some laws, policies and practices in the State party's juvenile justice system are incompatible with the principles and provisions of the Convention, including articles 37, 40 and 39;

(b) Children aged 16 and 17 do not benefit from the protections afforded by juvenile justice standards;

(c) The list of punishable acts described by the State party in its initial report, including begging, vagrancy and promiscuity, may lead to the inappropriate targeting of children by the judicial system;

(d) While the illegal detention of minors and violence by the police have decreased, such incidents continue;

(e) In particular, the detention of minors persists "due to the poor training and ignorance of legal norms on the part of the policemen involved", as indicated in the State party's initial report, and that minors are incarcerated with adult detainees;

(f) There is a serious lack of capacity within the judicial system to provide rapid intervention or trial, as needed, for juvenile offenders;

(g) There have been incidents of mistaken detention of children below the age of age 16.

322. **The Committee recommends that the State party:**

(a) Develop laws, policies and mechanisms and provide adequate resources to ensure the full implementation of juvenile justice standards, in particular articles 37, 40 and 39 of the Convention, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's 1995 day of discussion on the administration of juvenile justice;

(b) Ensure that all persons under 18 benefit from the protection of international juvenile justice provisions;

(c) Review the list of acts or behaviour for which juveniles may be prosecuted under penal law, with a view to reducing the list and establishing non-judicial responses, notably through social assistance;

(d) Ensure that all acts of violence by the police towards minors are ended, and that independent investigation and prosecution of police officers guilty of such acts are carried out in an effective manner;

(e) Ensure that no children are detained illegally and that, when detention is necessary as a measure of last resort, children are detained for the shortest time necessary and separately from adults;

(f) Strengthen the capacity of the juvenile justice system to provide a timely response, in accordance with international standards;

(g) Implement its own recommendations, as set out in its initial report, including:

> **"To strengthen legal provisions and ethical procedures in order to ensure that, in cases where detention is inevitable, treatment appropriate to the age and needs of the minors involved is guaranteed, they are allowed frequent contact with their family, they have immediate access to all necessary legal assistance, and they have the freedom and right to ensure their defence" (paragraph 565 of the State party's report);**
>
> **"To strengthen training in national and international legislation on minors for all those involved in the administration of juvenile justice, as well as the managers and staff of the units where children may eventually be subject to detention measures" (para. 566);**
>
> **"To establish 'mechanisms for the physical and psychological recovery and social reintegration of children who infringe the law'" (para. 567);**

"To create alternatives to detention, particularly with a view to providing the relevant assistance to which the child is entitled, as well as greater articulation with other social sectors such as social action, education and civil society organizations that are able to incorporate such children into their juvenile rehabilitation programmes" (para. 567);

"To establish mechanisms of cooperation between the authorities responsible for justice administration for minors and communities, which have the potential to support the recovery and reintegration of juvenile delinquents. There is also an urgent need to fill the vacuum by creating occupational and recreational centres as well as special services that can respond to the needs of children at risk" (para. 568).

(h) Seek technical assistance in this regard from, inter alia, UNICEF, OHCHR and the United Nations Office for Drug Control and Crime Prevention, through the Coordination Panel on Technical Assistance and Cooperation on Juvenile Justice.

Ratification of the two optional protocols

323. **Welcoming the fact that domestic legislation provides that voluntary or forced recruitment cannot take place under 18 years of age, the Committee recommends that the State party consider ratification of:**

(a) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts;

(b) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Dissemination of reports

324. **Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that consideration be given to publishing the report, along with the relevant summary records and concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring at all levels of administration of the State party and among the general public, including concerned non-governmental organizations.**

Concluding observations of the Committee on the Rights of the Child: Chile

325. The Committee considered the second periodic report of Chile (CRC/C/65/Add.13), submitted on 10 October 1999, at its 763rd and 764th meetings (see CRC/C/SR.763-764), held on 23 January 2002, and adopted at its 777th meeting (CRC/C/SR.777), held on 1 February 2002, the following concluding observations.

A. Introduction

326. The Committee welcomes the submission of the State party's second periodic report, which follows the guidelines for reporting, and of the written replies to its list of issues (CRC/C/Q/CHI.2) which, although submitted late, provides a comprehensive picture of the situation of children in Chile. It welcomes the large high-ranking delegation representing different departments and sectors sent by the State party and the frank dialogue and the positive reactions to the suggestions and recommendations made during the discussion.

B. Positive aspects

327. The Committee notes with satisfaction that, in line with its previous recommendation (CRC/C/15/Add.22 of 25 April 1994, para.14), the State party adopted a number of laws in order to further bring domestic legislation into conformity with the provisions of the Convention, including the Adoption Law of 1999, legislation ending discrimination against children born out of wedlock and recognizing extramatrimonial filiation, legislation against the abduction of children and their illegal transfer abroad, amendments to the Criminal Code, the Code of Criminal Procedure and other legislation in matters connected with child sexual offences, and a series of laws designed to punish all forms of child abuse and family violence.

328. The Committee welcomes the adoption in April 2001 of the National Policy in favour of Children and Adolescents and the Integrated Plan of Action for 2001-2010. It further notes with satisfaction that Regional Plans for Children and Adolescents were developed in all regions and that, at the local level, a Network of Municipalities for Children was established in 1994 and a working group coordinated by the Ministry of Planning and Cooperation (MIDEPLAN) was set up in 1996 to improve the coordination between the public and the private bodies supporting the municipalities and communes in their work for children.

329. The Committee notes with satisfaction the establishment in 1995 of the National Committee against Child Abuse and in 1996 of the National Advisory Committee for the prevention and eradication of child labour, set up also at the regional level. It further welcomes the establishment of offices for the protection of children's rights, which will provide services for vulnerable children at the local level.

330. The Committee welcomes the announcement by the State party delegation that the Chilean National Congress has authorized the ratification of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. It further notes with appreciation that the State party has ratified ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and that, in compliance with ILO Convention No. 138, it has amended the Labour Code in order to increase the minimum age for admission to employment from 14 to 15 years of age. The Committee also welcomes the ratification of the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

C. Factors and difficulties impeding progress in the implementation of the Convention

331. The Committee acknowledges that the State party is facing many difficulties in the implementation of the Convention, in particular due to the continuing structural problems, income and social disparities among households and poverty affecting nearly one out of three children. It further notes the persistence of authoritarian and paternalistic attitudes towards children, in particular poor ones, which may affect the rights-based approach promoted by the Convention.

D. Principal areas of concern and recommendation

1. General measures of implementation

Legislation

332. The Committee notes with concern that the Juvenile Act of 1967, which is based on the doctrine of "irregular situation" and thus does not make a clear distinction, in terms of judicial procedures and treatment, between children in need of care and protection and those in conflict with the law, is still in force. If further notes that two draft laws intended to reform the Juvenile Act, one on the protection of children who need assistance and the other on children in conflict with the law, have been under preparation since 1994 but have not been introduced yet before Parliament.

333. **The Committee, in line with its previous recommendation (CRC/C/15/Add.22 of 25 April 1994, para. 14), recommends that the State party:**

(a) Take all the necessary measures for the adoption without delay of the laws amending the Juvenile Act of 1967;

(b) Ensure the full implementation of the amended Juvenile Act in compliance with the Convention, paying particular attention to the need for adequate structures by allocating the necessary human and financial resources;

(c) Seek technical assistance from, among others, UNICEF.

Coordination

334. The Committee, while acknowledging the efforts made by the State party in improving coordination by establishing in 1997 an inter-ministerial working group on children, remains concerned at the inadequate coordination between government agencies, both at national and local levels, and with civil society. It further notes that the National Policy in favour of Children and Adolescents and the Integrated Plan of Action for 2001-2010 are not disseminated enough within the country, especially at local level.

335. **The Committee recommends that the State party:**

(a) Strengthen coordination between the various governmental bodies and mechanisms involved in children's rights at both the national and local levels, in line with its previous recommendation (ibid., para. 15), and with NGOs and other sectors of civil society;

(b) Ensure the full dissemination and implementation, especially at local level, of the National Policy for Children and Adolescents and the Integrated Plan of Action for 2001-2010;

(c) Incorporate the current concluding observations of the Committee in the national and regional plans of action for children.

Monitoring

336. The Committee, while acknowledging that the Presidential Advisory Council de facto receives and handles individual complaints concerning violations of human rights, expresses its concern that an overall national mechanism with the mandate for continuing supervision and evaluation throughout the country of the implementation of the Convention, as previously recommended (ibid.), was not set up.

337. **The Committee encourages the State party to establish an independent and effective mechanism in accordance with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:**

(a) Monitors the implementation of the Convention;

(b) Deals with complaints from children in a child-sensitive and expeditious manner; and

(c) Provides remedies for violations of their rights under the Convention. In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

Budgetary allocations

338. The Committee expresses its concern that there is no integrated budget for children and that budgetary allocations for children are still insufficient to respond to national and local priorities for the promotion and protection of children's rights and to overcome and remedy existing disparities between rural and urban areas with respect to services provided to children. Further, it notes with deep concern that, according to data provided in the State party's report, one third of children in Chile live in poverty.

339. **In light of article 4 of the Convention, the Committee encourages the State party:**

(a) To continue its efforts to reduce poverty and its impact on children, including by strengthening its income redistribution policies in favour of families living in extreme poverty;

(b) To identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated "to the maximum extent of ... available resources and, where needed, within the framework of international cooperation" for the full implementation of the economic, social and cultural rights of children, in particular with respect to local governments and for children belonging to the most vulnerable groups in society; and

(c) To identify the amount and proportion of the budget spent on children at the national and local levels in order to evaluate the impact and effect of the expenditures on children.

Data collection

340. The Committee, while acknowledging that the National Survey on Socio-Economic Characteristics (CASEN) takes place in Chile every two years, expresses its concern that the Survey is based mainly on surveys and does not include all the areas covered by the Convention.

341. **The Committee recommends that the State party improve its system of data collection with a view to incorporating all the areas covered by the Convention. Such a system should cover all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable.**

Dissemination

342. The Committee, while acknowledging that there have been efforts to disseminate the Convention during the process for the development of regional plans for children and to train professionals working with and for children in line with its previous recommendation (ibid, para. 18), nevertheless expresses its concern that these measures need to be strengthened, in particular in rural areas and among indigenous children.

343. **The Committee recommends that the State party:**

(a) Increase its efforts to translate informative material into the main indigenous languages and disseminate it;

(b) Develop more creative methods to promote the Convention, including through audiovisual aids such as picture books and posters, in particular at local level, and through media;

(c) Continue and strengthen its efforts to provide adequate and systematic training and/or sensitization on children's rights of professional groups working with and for children, such as judges, lawyers, law enforcement and health personnel, teachers and school administrators;

(d) Debate and discuss the principles and provisions of the Convention with a view to integrating them into the curricula at all levels of the educational system; and

(e) Seek technical assistance from, among others, UNICEF, UNESCO and OHCHR.

Cooperation with NGOs

344. The Committee, while noting examples of collaboration between governmental institutions and non-governmental organizations, e.g. in the preparation of the National Policy in favour of Children and Adolescents and the Integrated Plan of Action for 2001-2010 and of the State party's second periodic report, nevertheless notes that cooperation with non-governmental organizations should be further promoted and reinforced.

345. **The Committee recommends that the State party promote closer cooperation and active dialogue in all matters concerning children with non-governmental organisations, in particular in the area of implementation of the National Policy in favour of Children and Adolescents and the Integrated Plan of Action for 2001-2010.**

2. Definition of the child

346. The Committee expresses its concern at the low minimum age for marriage (12 years of age for girls and 14 for boys with the parents' consent), although this provision is outdated and not implemented in practice. It further notes that the Committee's previous recommendation on addressing the question of the minimum age of criminal responsibility (ibid., para. 17) was not implemented.

347. **The Committee recommends that the State party review its legislation with a view to making the minimum age for marriage of girls the same as that for boys and to bring it into full conformity with the provisions and principles of the Convention, and to setting a minimum age for criminal responsibility.**

3. General principles

348. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), right to life, survival and development of the child (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

349. **The Committee reiterates its previous recommendation (ibid., para. 14) that the State party:**

(a) Appropriately integrate the general principles of the Convention, namely articles 2, 3, 6 and 12, in all relevant legislation concerning children;

(b) Apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children; and

(c) Apply these principles in planning and policy-making at every level, as well as in actions taken by social and health welfare and educational institutions, courts of law and administrative authorities.

Non-discrimination

350. The Committee, while noting the development of the National Plan to Overcome Discrimination in Chile 2001-2006, is concerned that the principle of non-discrimination is not fully implemented for children belonging to indigenous groups, poor children, girls, children with disabilities and children living in rural areas, especially with regard to their access to adequate health care and educational facilities.

351. **The Committee recommends that the State party:**

(a) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination; and

(b) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination, including racial and xenophobic discrimination against indigenous children, and implement the National Plan to Overcome Discrimination in Chile 2001-2006.

352. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Respect for the views of the child

353. The Committee notes with concern that, due to traditional and paternalistic attitudes still widespread in the country, children are not encouraged to express their views and that, in general, their views are not heard nor given due weight in decisions affecting them in the family, at school, in the community and in social life at large. In particular, it notes with deep concern that, according to article 30 of the Juvenile Act, the juvenile judge may impose a protective measure on children without summoning them to appear when the case does not constitute a crime, ordinary offence or minor offence.

354. **In light of articles 12 to 17 of the Convention, the Committee recommends that the State party undertake measures in order to take into account the views of children, in accordance with the concept of their evolving capacities, in all matters affecting them, in particular in judicial and administrative proceedings, and integrate this principle in the new legislation and in policies and programmes affecting children, including the National Policy. It encourages the State party to seek technical cooperation from, among others, UNICEF.**

4. Civil rights and freedoms

Corporal punishment

355. The Committee is concerned that corporal punishment of children remains socially acceptable in Chile and it is still practised in families and in schools and other institutions. It further notes that Chilean legislation does not expressly prohibits corporal punishment.

356. **In light of articles 3, 19, and 28 (2) of the Convention, the Committee encourages the State party:**

(a) To develop measures to raise awareness of the harmful effects of corporal punishment and to encourage alternative forms of discipline in families administered in a manner consistent with the child's dignity and in conformity with the Convention; and

(b) Explicitly prohibit corporal punishment in the family and in schools and other institutions.

5. Family environment and alternative care

Parental responsibilities

357. The Committee is concerned that the system of assistance to parents and legal guardians in the performance of their child-rearing responsibilities is still insufficient, in particular with respect to single-parent families, and that a significant number of children are put in institutions because of the bad economic situation affecting the family.

358. **In light of article 18 of the Convention, the Committee recommends that the State party continue to improve social assistance to families to support them in their child-rearing responsibilities, including through counselling and community-based programmes, as a means of reducing the number of children in institutional care.**

Children deprived of family environment

359. While noting that there are plans to reform the National Service for Minors (SENAME), the Committee notes with concern that at present SENAME is still in charge of both children in need of care and protection as well as those in conflict with the law, and that social services need to be more decentralized. Further, it notes that a bill for the establishment of family courts has been before Congress since 1997.

360. **The Committee recommends that the State party:**

(a) Establish two clearly separated systems (in terms of administration and implementation) for children in need of care and protection and for children in conflict with the law, by adopting the two draft laws, one on the protection of children who need assistance and the other on children in conflict with the law, intended to reform the 1967 Juvenile Act;

(b) Create and strengthen adequate and decentralized structures by providing enough human and financial resources; and

(c) Take measures to establish family tribunals.

Abuse and neglect

361. The Committee is deeply worried about the report it has received on the widespread practice of child abuse within the family and in institutions, including those run by SENAME. It is concerned at the lack of data and information on child abuse and neglect, at the inadequacy of measures, mechanisms and resources to prevent and combat physical and sexual abuse and neglect of children, including the institutionalization of child victims of abuse, and at the limited number of services for abused children, in particular in rural areas.

362. **In light of article 19 of the Convention and in line with its previous recommendation (ibid., para. 16), the Committee recommends that the State party:**

(a) Undertake studies on domestic violence, ill-treatment and abuse, including sexual abuse, within the family and in institutions in order to assess the extent, scope and nature of these practices;

(b) Adopt as soon as possible and implement effectively the draft National Service for the Protection of Children's Rights Act, and in that regard provide the new institution with adequate human and financial resources;

(c) Ensure that there are clear and well-publicized procedures to enable children to make complaints about their treatment to an independent body with appropriate powers of investigation and action;

(d) Investigate effectively cases of domestic violence and ill-treatment and abuse of children, including sexual abuse, within the family and in institutions within a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy;

(e) Do the utmost to avoid institutionalization of child victims of abuse;

(f) Take measures to provide support services to children in legal proceedings, and for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment and violence, in accordance with article 39 of the Convention;

(g) In light of article 25 of the Convention, ensure that children placed in institutions and other forms of alternative care are regularly monitored and supervised;

(h) Take into account the Committee's recommendations adopted at its days of general discussion on violence against children within the family and in schools (see CRC/C/111) and on State violence against children (see CRC/C/100);

(i) Seek, in this regard, international cooperation and technical assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Health and health services

363. While noting the decrease in the infant and child mortality rates and the reform process which has been under way since the early 1990s, the Committee is nevertheless concerned at the great disparities existing within these rates, in particular with regard to indigenous children, those living in rural areas, those with a lower socio-economical origin and those with a mother with a low level of education. It further notes that maternal mortality rates may not reflect actual cases related to complications resulting from illegal abortions, in particular those affecting pregnant adolescents.

364. **The Committee recommends that the State party:**

(a) Allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary health care and decentralizing the health-care system;

(b) In order to prevent child mortality and morbidity and lower the maternal mortality rate, provide adequate antenatal and postnatal health-care services and develop campaigns to inform parents about basic child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation, family planning and reproductive health, especially in rural areas.

Adolescent health

365. While noting the development of a National Policy for Adolescent Health in 1999, the Committee is concerned at the limited availability of programmes and services in the field of adolescent health, including mental health, especially in rural areas, and the lack of sufficient prevention and information programmes in schools. Further, it expresses its concern about the high rates of early pregnancy and the lack of information, counselling and preventive

programmes on reproductive health, including the lack of adequate access to contraceptives, in particular in rural areas. It also notes the rise in the number of children and youths using drugs, and the growing number of cases of HIV/AIDS among the youth.

366. **The Committee recommends that the State party:**

(a) Implement in an effective way the National Policy for Adolescent Health, especially in rural areas, and increase its efforts to promote adolescent health, including mental health, policies, particularly with respect to reproductive health and substance abuse, and strengthen the programme of health education in schools;

(b) Undertake a comprehensive and multidisciplinary study to assess the scope and nature of adolescent health problems, including the negative impact of sexually transmitted diseases and HIV/AIDS, and continue to develop adequate policies and programmes;

(c) Undertake further measures, including the allocation of adequate human and financial resources, to evaluate the effectiveness of training programmes in health education, in particular as regards reproductive health, and to develop youth-sensitive and confidential counselling, care and rehabilitation facilities that are accessible without parental consent when this is in the best interests of the child; and

(d) Seek technical cooperation from, among others, UNFPA, UNICEF, WHO and UNAIDS.

Children with disabilities

367. The Committee expresses its concern at the inefficiency of projects financed by the National Fund for Disability, owing to inadequate funds and modalities. The Committee is also concerned at the general lack of resources and specialized staff for these children, especially the ones with mental disabilities, in particular in rural areas and for indigenous children. Further, it expresses its concern at the low proportion of children with disabilities enrolled in regular schools.

368. **In light of article 23 of the Convention, the Committee recommends that the State party:**

(a) Undertake studies to determine the causes of and ways to prevent disabilities in children;

(b) Undertake measures to ensure that the situation of children with disabilities is monitored in order to assess their situation and needs effectively;

(c) Conduct public awareness campaigns in all languages, in particular indigenous ones, to raise awareness of the situation and the rights of children with disabilities;

8. Special protection measures

Refugee children

371. The Committee notes with concern that the Chilean legislation does not regulate the status of non-accompanied children, who are therefore considered stateless.

372. **The Committee recommends that the State party:**

(a) Take measures to prevent unaccompanied children from statelessness;

(b) Ratify the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness.

Economic exploitation

373. The Committee, while noting that the State party has ratified ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and increased the minimum age for admission to work to 15, expresses its deep concern at the large number of children, including those under 15, who are exploited economically, especially in the farming sector, and the large number who have to leave school because they cannot conciliate work and school.

374. **In light of article 32 of the Convention, the Committee recommends that the State party:**

(a) Continue to enforce and strengthen its legislation protecting working children in accordance with ILO Conventions Nos. 138 and 182;

(b) Implement and monitor the National Plan to Prevent and Eradicate Child Labour;

(c) Establish a reliable system to gather information on child labour;

(d) Combat and eradicate as effectively as possible all forms of child labour, including by strengthening its cooperation with ILO/IPEC and UNICEF.

Sexual exploitation

375. The Committee, while taking note of the establishment of a working group to prepare a plan of action against commercial sexual exploitation of children, expresses its concern that, with regard to the phenomenon of commercial sexual exploitation of children, there are no data available, legislation is inadequate, cases involving sexually exploited children are often not investigated and prosecuted, child victims are registered and therefore may be subjected to criminalization, and social reintegration programmes are not available. It further notes that prostitution of boys is on the rise.

(d) Allocate the necessary resources for programmes and facilities for all children with disabilities, especially the ones living in rural areas, and strengthen community-based programmes to enable them to stay at home with their families;

(e) Support the parents of children with disabilities with counselling and, when necessary, financial support;

(f) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage their integration into the regular educational system and inclusion into society, including by providing special training to teachers and by making schools more accessible;

(g) Seek technical assistance and international cooperation from, among others, UNESCO, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

369. The Committee, while noting the increase in the school attendance rate, expresses its concern at the difficult access to education, high drop-out and repetition rates which affect in particular indigenous children, poor children and the ones living in rural areas; the low enrolment rate for pre-school education; the low rate of children reaching secondary education and the treatment of children with behavioural problems. It further notes with concern the important number of pregnant children who are excluded from school and that government measures to avoid this situation are not implemented, especially in private schools.

370. **In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:**

(a) Ensure regular attendance at school and the reduction of drop-out rates, especially with regard to indigenous children;

(b) Develop appropriate measures to deal with children with behavioural problems without resorting to expulsion from school;

(c) Ensure that measures are effectively implemented in order for pregnant girls to continue attending school both during and after their pregnancy;

(d) Improve the quality of education in order to achieve the goals mentioned in article 29 (1), in line with the Committee's general comment No. 1 on the aims of education.

376. **In light of article 34 of the Convention, the Committee recommends that the State party:**

(a) Undertake a study on this issue in order to assess its scope and causes, enable effective monitoring of the problem and develop all necessary measures and programmes to prevent, combat and eliminate sexual exploitation and abuse of children, including by developing social reintegration programmes;

(b) Decriminalize prostitution of children and protect children from commercial sexual exploitation up to the age of 18;

(c) Develop and adopt a national plan of action against sexual and commercial exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children; and

(d) In this regard, seek international cooperation from, among others, UNICEF, ILO and WHO.

Juvenile justice

377. The Committee reiterates its concern that the Juvenile Act of 1967, based on the doctrine of "irregular situation", which does not make a clear distinction, in terms of judicial procedures and treatment, between children in need of care and protection and those in conflict with the law, is still in force. It also notes with concern that detention is not used as a last resort, especially in the case of children who are poor and socially disadvantaged, and that often children are detained in detention centres for adults. The Committee further expresses its concern at the fact that the criminal law and procedure for adults can be applied also to children aged between 16 and 18 who acted with discernment and that the Committee's previous recommendation on addressing the question of the minimum age of criminal responsibility (ibid., para. 17) was not implemented.

378. **In line with its previous recommendation (ibid., para. 17), the Committee recommends that the State party:**

(a) Expedite the adoption of the draft law on children in conflict with the law and increase the budget allocations for the administration of juvenile justice;

(b) Address the question of the minimum age of criminal responsibility in light of article 40, paragraph 3 (a);

(c) Continue reviewing laws and practices regarding the juvenile justice system in order to bring it as soon as possible into full compliance with the Convention, in particular articles 37, 40 and 39, as well as with other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines);

(d) Ensure that all persons under 18 benefit from special protection measures in the field of administration of juvenile justice;

(e) Use pre-trial detention only as a measure of last resort, for as short a time as possible and for no longer than the period prescribed by law and ensure that children are separated from adults in every case;

(f) Use alternative measures to pre-trial detention and other forms of deprivation of liberty whenever possible;

(g) Strengthen preventive measures, such as supporting the role of families and communities, in order to help eliminate the social conditions leading to such problems as delinquency, crime and drug addiction;

(h) Incorporate into its legislation and practices the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, in particular to guarantee them access to effective complaints procedures covering all aspects of their treatment;

(i) Take appropriate rehabilitative measures to promote the social reintegration of the children involved in the juvenile justice system;

(j) Seek assistance from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Dissemination of documents

379. Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the second periodic report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

Concluding observations of the Committee on the Rights of the Child: Malawi

380. The Committee considered the initial report of Malawi (CRC/C/8/Add.43), received on 1 August 2000, at its 765th and 766th meetings (see CRC/C/SR.765-766), held on 24 January 2002 and adopted at the 777th meeting, held on 1 February 2002, the following concluding observations.

A. Introduction

381. The Committee welcomes the submission of the initial report of the State party, which followed the established guidelines. However, the Committee regrets the late submission of the

written replies to its list of issues (CRC/C/Q/MALA/1), which nevertheless allowed for a clearer understanding of the situation of children in the State party. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for an informative and constructive dialogue and a fuller assessment of the rights of children in the State party.

B. Positive aspects

382. The Committee notes with appreciation that the 1995 Constitution includes a specific section (sect. 23) on the rights of the child.

383. The Committee welcomes the adoption of the 1993 Programme of Action for the Survival and Development of Children; the 1996 National Youth Council Act; the 1998 National Early Childhood Development Policy, and the creation of the Children Affairs Division in the Ministry of Gender, Youth and Community Services, and of the Child Rights Unit within the Malawi Human Rights Commission. In addition, the Committee welcomes the ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the creation of the Children's Parliament and the Young Voices Movement.

C. Factors and difficulties impeding the implementation of the Convention

384. The Committee acknowledges that the fact that the State party is a landlocked country and that it is extremely poor have had and still have a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular it notes the impact of high external debt payments, pressures exerted by structural adjustment, extremely high annual inflation, the recent declining economic conditions and rampant corruption, especially on children belonging to the most vulnerable groups, and the impact of the HIV/AIDS pandemic.

D. Subjects of concern and recommendations of the Committee

1. General measures of implementation

Legislation

385. While noting that the adoption in 1995 of a new constitution was the first step for the protection of the rights of the child, the Committee remains concerned that its provisions do not always comply with the Convention. In addition, the Committee notes that the State party is planning to harmonize the existing legislation with the Convention and welcomes the establishment of the Law Commission, which is in charge of reviewing laws to determine if they conform to international human rights standards and which has formulated several recommendations for amending laws with regard to children. However, the Committee remains concerned that domestic legislation, including customary law, still does not fully reflect the principles and provisions of the Convention.

386. **The Committee recommends that the State party:**

(a) Undertake all steps, notably through the Law Commission, to harmonize existing legislation, including the Constitution and customary law, with the Convention on the Rights of the Child;

(b) Consider the adoption of a comprehensive children's code which will reflect the general principles of the Convention on the Rights of the Child;

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Coordination

387. The Committee notes that owing to the capacity limitations of the Children Affairs Division within the Ministry of Gender, Youth and Community Services, the Child Rights Unit within the Human Rights Commission has taken over responsibility for coordinating children's policy. The Committee is concerned however at the risk of duplication between those two bodies and at potential problems emerging from the various roles of the Human Rights Commission.

388. **The Committee recommends that the State party set up an effective coordination mechanism for the implementation of the Convention and take all measures to strengthen the resources (financial and human) allocated to the Children Affairs Division within the Ministry of Gender, Youth and Community Services to facilitate effective coordination and implementation of the Convention on the national and local levels.**

Data collection

389. The Committee is concerned that there is almost no systematic collection of disaggregated data on all aspects of the Convention to be used in monitoring and evaluating legislation, policies and programmes adopted with respect to children.

390. **The Committee recommends that the State party, as a priority, systematically collect disaggregated data incorporating all the areas covered by the Convention and covering all children below the age of 18 years, with specific emphasis on those who are in need of special protection. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies that affect children. In this context, the Committee recommends that the State party seek technical assistance from, among others, UNFPA, UNDP and UNICEF.**

Monitoring mechanisms

391. The Committee welcomes the existence of an ombudsman with a mandate to receive complaints from children. In addition, the Committee notes that the State party established a Human Rights Commission in 1998 and that a Child Rights Unit has been created in 1999 within

this institution. The Committee is concerned, however, at the confusion relating to the role of this Unit (see above) as it is responsible for both coordination and monitoring of children's rights and policies. The Committee is also concerned that insufficient resources have been allocated to allow the Child Rights Unit to function effectively.

392. **The Committee suggests that the State party review the status, role and functions of the Human Rights Commission and its Child Rights Unit in order to establish an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134), which should be competent to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local levels and to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively. The Committee also recommends that the State party allocate adequate financial and human resources to the Human Rights Commission and its Child Rights Unit to ensure its effective functioning. The Committee further suggests that the State party conduct an awareness-raising campaign about the Human Rights Commission and its Child Rights Unit to facilitate its effective use by children. Finally, the Committee suggests that the State party seek technical assistance from OHCHR, and UNICEF, among others.**

Allocation of resources

393. The Committee is aware of the economic and social challenges facing the State party, including high and increasing poverty levels as well as high debt payments and corruption, and welcomes in that regard the 1995 Policy Framework for Poverty Alleviation programme, the 2000 Interim Poverty Reduction and Growth Strategy Paper and the setting up of the anti-corruption bureau. It remains concerned, however, that in light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources, at both the national and local levels, "to the maximum extent of ... available resources" for the implementation of the Convention.

394. **In light of articles 2, 3, and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, especially those belonging to economically and geographically disadvantaged groups, to the maximum extent of available resources (at the national and local levels) and, where needed, within the framework of international cooperation.**

Dissemination of the Convention

395. The Committee notes with appreciation the initiatives of the State party to promote awareness of the principles and provisions of the Convention, and welcomes the translation of the Convention into some of the country's major national languages. The Committee also welcomes the involvement of children and youth in the dissemination of the Convention (e.g. the Young Voices Movement). However, the Committee is concerned that professional groups, children, parents and the general public are still not sufficiently aware of the Convention and the rights-based approach enshrined therein. In addition, the Committee is concerned that the Convention is not sufficiently disseminated at the local level and among illiterate people.

396. **The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and understood by adults and children alike, in particular in rural areas. In this regard, the Committee recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators, health personnel, including psychologists and social workers, personnel of childcare institutions, and traditional or community leaders, including village chiefs. The Committee recommends that the State party also use creative tools for the dissemination of the Convention, notably with regard to illiterate people, and continue its efforts to translate the Convention into all the major national languages. In addition, the Committee recommends that the State party incorporate human rights, especially the Convention on the Rights of the Child, into the school curricula at all levels. The Committee suggests that the State party seek technical assistance from, among others, the Office of the High Commissioner for Human Rights, UNESCO and UNICEF.**

2. Definition of the child

397. The Committee is concerned about the various legal minimum ages, which are inconsistent, discriminatory and/or too low. In particular, the Committee is concerned that the Constitution defines a child as any person below the age of 16 years, at the too low minimum age of criminal responsibility (7 years), and the absence of a clear minimum age for employment.

398. **The Committee recommends that the State party take the necessary legislative measures:**

(a) To establish a clear definition of the child in accordance with article 1 and other related principles and provisions of the Convention;

(b) To increase the legal age of criminal responsibility in accordance with the best interests of the child;

(c) To establish clear minimum ages for marriage and correct the discrimination between boys and girls;

(d) To set a clear minimum age for access to employment in accordance with international standards; and

(e) To review more generally its legislation which sets minimum ages which do not comply with article 1 and other relevant provisions of the Convention on the Rights of the Child.

3. General principles

399. The Committee is concerned that the general principles are not fully integrated in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

400. **The Committee recommends that the State party appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

Non-discrimination

401. The Committee notes that the 1995 Constitution enshrines a general provision against discrimination although further legislation and policies are not in line with this principle. The Committee is concerned, however, that the principle of non-discrimination is not adequately implemented with respect to children belonging to the most vulnerable groups such as girls, children with disabilities, orphans, poor children, and child refugees.

402. **The Committee recommends that the State party:**

(a) Take all effective measures to enact and implement laws, policies and programmes to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children (such as girls, orphans and children with disabilities) and traditional tribal customs, practices and rituals;

(b) Expedite the implementation of the National Platform of Action on Gender and Development; and

(c) Strengthen its technical cooperation with, among others, UNICEF, UNAIDS, UNDP and WHO.

403. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

Best interests of the child

404. While noting that many policies take into consideration the best interests of the child and that the Constitutional Technical Review has recommended that the principle of the best interests of the child should be provided for in the Constitution, the Committee is concerned that this principle is not fully taken into consideration in domestic law. The Committee also regrets that customary law and social traditions are an impediment to the implementation of this principle.

405. **The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as judicial and administrative decisions and in projects, programmes and services which have an impact on children. The Committee also encourages the State party to take all necessary measures to ensure that customary law does not impede the implementation of this general principle, notably through raising awareness among community leaders.**

Right to life, survival and development

406. While welcoming the adoption of the National Programme of Action for the Survival and Development of Children, and noting that the right to life is included in the Constitution, the Committee remains concerned that the programme has not been sufficiently implemented and that the impact of HIV/AIDS, mounting economic challenges and other socio-economic difficulties, as well as traditional practices and witchcraft, continue to threaten the right to life, survival and development of children within the State party.

407. **The Committee encourages the State party to reinforce its efforts to provide greater protection and support to children whose right to life, survival and development are unduly threatened by the difficult socio-economic realities of the State. In this connection, the Committee recommends that the State party take the necessary measures to set clear priorities for a new programme of action and take all effective measures to strengthen its technical cooperation with, among others, UNICEF, UNAIDS, UNDP and WHO.**

Respect for the views of the child

408. The Committee welcomes the introduction of the principle of respect of the views of the child in several laws such as the Children and Young Persons Act, the Adoption Act and the establishment of the Children's Parliament, but it remains concerned that, inter alia, traditional attitudes still limit the full implementation of article 12 of the Convention.

409. **The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children in the best interests of the child, particularly at the local levels and in traditional communities, with the involvement of community and village leaders, and ensure that the views of the child are heard and taken into consideration in accordance with their age and maturity in families, communities, schools, care institutions, and the judicial and administrative systems. In that regard, the Committee recommends that the State party launch campaigns to change the traditional attitude and values which do not allow children to express their views.**

4. Civil rights and freedoms

Birth registration

410. The Committee is concerned that domestic legislation does not provide for compulsory registration of all births but only for children whose parents are of non-African origin, which

explains the very low rate of registration. The Committee is further concerned at the practice of derogatory names being assigned to some children such as children born out of wedlock.

411. **In light of articles 7 and 8 of the Convention, the Committee recommends that the State party:**

(a) Make birth registration compulsory for all children and carry out awareness campaigns among government officers, midwives, community and religious leaders, and parents themselves, to ensure that all children are duly registered at birth;

(b) Make the birth registration procedure accessible and free or at a low cost; and

(c) Abolish the practice of derogatory names assigned to some children.

Corporal punishment

412. The Committee welcomes section 19 of the Constitution which provides that "No person shall be subject to corporal punishment in connection with any judicial proceedings or in any other proceedings before any organ of the State". While noting that the Head of State made a statement on the radio against corporal punishment within the family and that corporal punishment is banned at schools, it remains concerned that corporal punishment is still widely accepted and practised in schools, within the family and in the justice system. The Committee is further concerned that some legal acts contain provisions which allow corporal punishment.

413. **The Committee recommends that the State party take legislative measures, including amending existing acts that violate the Constitution, to prohibit all forms of physical and mental violence, including corporal punishment within the juvenile justice system, schools and care institutions as well as within the family. The Committee also recommends that the State party monitor the ban on corporal punishment in schools. The Committee encourages the State party to reinforce its public awareness campaigns, including among community leaders, to teach on the harmful effects of corporal punishment and to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.**

5. Family environment and alternative care

Parental responsibilities

414. The Committee is concerned that a large number of families are headed by single parents, mostly women, many of them facing financial and other kinds of difficulties which negatively affect the upbringing and development of the child. The Committee is concerned at the lack of involvement of fathers in the upbringing and development of children.

415. **The Committee recommends that the State party:**

(a) Take all necessary measures to provide assistance to single-parent families in order to support them in bringing up their children, in light of article 18 (2) of the Convention;

(b) Take the necessary measures for the promotion of higher levels of involvement of fathers in the upbringing and development of their children.

Recovery of children's maintenance allowance

416. While domestic legislation includes provisions for maintenance allowance (Affiliation Act (cap. 26:02); Maintenance Orders Enforcement Act and the Divorce Act (cap. 25:04)), the Committee is concerned at the lack of implementation of these provisions mainly because of widespread ignorance of the law, limited enforcement of maintenance orders and the small amounts of the orders which cannot cover the basic needs of the child.

417. **The Committee recommends that the State party:**

(a) Make widely known the provisions of domestic legislation concerning maintenance allowance, especially among mothers who are illiterate, and to support them if necessary in understanding legal actions;

(b) Ensure that professional groups dealing with this issue are adequately trained and courts more strictly implement the provisions regarding the recovery of allowances, particularly in case of solvent parents who refuse to pay; and

(c) Take the necessary measures to ensure, to the extent possible, that the maintenance ordered covers the basic needs of the child.

Alternative care

418. While noting the creation of an Orphan Care Programme in 1996, the creation of a National Task Force on Orphans, and the proposed bill on wills and inheritance, the Committee expresses concern at the increasing number of children deprived of a family environment, notably due to the spread of HIV/AIDS, the Committee welcomes the policy of the State party to use institutional facilities as a last resort but remains concerned that the role of the extended family is decreasing, that there is no legislation on foster care, and that the Adoption of Children Act does not fully take into consideration the best interests of the child and other relevant provisions of the Convention. Finally, the Committee remains concerned that insufficient financial and human resources are allocated for alternative care.

419. **The Committee recommends that the State party:**

(a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children including, inter alia, the introduction of effective legislation, the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies;

(b) Enact the bill on wills and inheritance;

(c) Provide for regular periodic review of the placement of children in institutions, in conformity with article 25 of the Convention;

(d) Review and, if necessary, change its legislation on adoption in order to guarantee that the best interests of the child are fully taken into account as well as other relevant articles of the Convention;

(e) Ratify the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption adopted in 1993 at The Hague; and

(f) Seek technical assistance from UNICEF and other international organizations, including non-governmental organizations.

Protection from abuse and neglect

420. While welcoming the situation analysis of child abuse in Malawi conducted by the National Task Force on Children and Violence, the Committee is deeply concerned at the high incidence of all forms of violence and abuse within family and in schools in the State party, the lack of statistical data, the lack of a comprehensive plan of action, and insufficient infrastructures.

421. **The Committee recommends that the State party:**

(a) Adopt and implement a comprehensive plan of action with effective measures and policies in conformity with article 19 of the Convention, including the adoption of the bill on family violence, in order to contribute to changing attitudes;

(b) Properly investigate cases of violence, through a child-sensitive judicial procedure, impose sanctions on perpetrators with due regard to the right to privacy of the child;

(c) Provide services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention, and take measures to prevent the criminalization and stigmatization of victims;

(d) Take into consideration the recommendations of the Committee adopted at its days of general discussion on children and violence (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745);

(e) Seek technical assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Right to health and access to health services

422. The Committee notes the efforts of the State party to improve health care for children through, inter alia, the Community-Based Child Care Programme, the National Policy on Early Childhood Development and the mobile health services. However, the Committee is concerned about the insufficient numbers of trained medical personnel, the weakness of family planning services, the high maternal, child and infant mortality rates, the increasing incidence of HIV/AIDS, the high incidence of malaria and acute respiratory infections, the very low rate of breastfeeding, and poor sanitation and limited access to safe drinking water, especially in rural areas. It is also noted with concern that the State party's cost-sharing system leads to limited access to basic health care, especially for poor families.

423. **The Committee recommends that the State party:**

(a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;

(b) Facilitate greater access to free primary health services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; reinforce family planning services; and increase access to safe drinking water and sanitation;

(c) Pursue additional avenues for cooperation and assistance for child health improvement with, among others, WHO and UNICEF.

Adolescent health

424. The Committee remains concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse.

425. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this study as a basis to formulate adolescent health policies and programmes with particular attention to the prevention of sexually transmitted diseases (STDs) and early pregnancies; and

(b) Strengthen sex education and reproductive and mental health counselling services and make them sensitive and accessible to adolescents.

HIV/AIDS

426. While noting the existence of the National AIDS Control Programme, the National Task Force on Orphans and the Orphan Care Programme, the Committee remains extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting high and increasing number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

427. **The Committee recommends that the State party:**

(a) Increase its efforts to prevent HIV/AIDS and take into consideration the recommendations of the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243) as well as the Guidelines on HIV/AIDS and Human Rights adopted in 1996;

(b) Urgently consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and to education;

(c) Involve children in formulating and implementing preventive and protective policies and programmes; and

(d) Seek further technical assistance from, among others, UNAIDS.

Harmful traditional practices

428. The Committee is concerned at the persistence of harmful traditional practices, including early and forced marriages.

429. **The Committee recommends that the State party take legislative and awareness-raising measures to prohibit and eradicate traditional practices harmful to the health, survival and development of children, boys as well as girls. The Committee urges the State party to introduce sensitization programmes with the involvement of community leaders for practitioners and the general public to change traditional attitudes and discourage harmful practices, in particular in rural areas.**

Children with disabilities

430. While noting that the Constitution provides for protection from non-discrimination based on disability and that its section 13 (g) is devoted to the rights of the disabled, the Committee is concerned at the lack of a comprehensive policy for disabled children, the lack of statistical data and the existence of discrimination, which is still widespread. Concern is also expressed at the limited facilities and services for children with disabilities and at the limited number of trained

teachers to work with children with disabilities, as well as the insufficient efforts made to facilitate their inclusion into the educational system and generally within society. The Committee also notes with concern that inadequate resources have been allocated to special education programmes for children with disabilities.

431. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on the rights of children with disabilities (CRC/C/69), it is recommended that the State party:**

(a) Establish a comprehensive policy for children with disabilities;

(b) Take effective measures to collect adequate and disaggregated statistical data on children with disabilities and ensure the use of such data in the development of policies and programmes to prevent disabilities and to aid disabled children;

(c) Reinforce its efforts to develop early detection programmes to prevent and remedy disabilities;

(d) Establish special education programmes for disabled children and include them in the regular school system as much as possible;

(e) Undertake awareness-raising campaigns to sensitize the public, parents in particular, about the rights and special needs of children with disabilities as well as children with mental health concerns;

(f) Increase resources (financial and human) allocated to special education, including vocational training, and enhance the support given to families of children with disabilities;

(g) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, WHO.

Right to an adequate standard of living

432. While noting the challenging socio-economic situation, the Committee remains concerned at the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children and children living in remote rural areas. In addition, the Committee is concerned at the lack of a social security system that would ensure access to health services for children.

433. **In accordance with article 27 of the Convention, the Committee recommends that the State party:**

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in the finalization and implementation of the Poverty Reduction Strategy and all other programmes aimed at improving the standard of living in the country;

(c) Cooperate and coordinate its efforts with civil society and local communities; and

(d) Undertake the creation of a social security system for better access to health by children.

7. Education, leisure and cultural activities

Right to and aims of education

434. While noting that the Constitution provides for free primary education (sect. 13 (f)), that efforts have been made to increase the enrolment of girls in school (the GABLE project) and that the budget allocated to education has increased, the Committee remains concerned that primary education is free only for a few grades and that it is not compulsory. The Committee is also concerned at the gender and regional disparities in enrolment in schools, absenteeism, the high drop out and repeat rates, the low quality of education, the insufficient numbers of trained teachers, insufficient schools and classrooms, and the lack of relevant learning material. In light of article 29 (1) of the Convention, the Committee is also concerned about the quality of education within the State party. The Committee notes with concern the reported incidents of sexual abuse and exploitation of children within the school environment.

435. **The Committee recommends that the State party:**

(a) Make primary education compulsory;

(b) Extend the period of free primary education;

(c) Progressively ensure that girls and boys, as well as children from urban, rural and least developed areas, have equal access to educational opportunities;

(d) Take the necessary measures to improve the quality of education and to improve internal efficiency in the management of education;

(e) Build better infrastructure for schools and provide appropriate training for teachers;

(f) Extend resources to help children to go to secondary education;

(g) Orient education towards the aims stated in article 29 (1) of the Convention and the Committee's general comment No. 1 on the aims of education and introduce human rights, including children's rights, into the school curricula;

(h) Raise awareness about the importance of early childhood education and introduce it into the general framework of education;

(i) Provide children with a safe school environment by, inter alia, taking all necessary steps to prevent abuse and exploitation of children by school personnel, taking effective disciplinary measures against school personnel who have committed those offences and reporting these incidences to the competent authorities, notably through child-sensitive structures for complaints;

(j) Encourage participation by children at all levels of school life; and

(k) Seek assistance from UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking children, unaccompanied and internally displaced children

436. The Committee, acknowledging the efforts made to ameliorate the situation of child refugees, is concerned at the delays in issuing and the lack of clarity of the grounds for the decisions taken by the National Eligibility Committee. The Committee also is concerned at the fact that access to education is not always guaranteed to refugee children.

437. **The Committee recommends that the State party:**

(a) Consider ratifying the 1961 Convention on the Reduction of Statelessness and the 1954 Convention relating to the Status of Stateless Persons;

(b) Speed up the decision-making process of the National Eligibility Committee and make clearer the legal grounds for its decisions;

(c) Guarantee access to education to child refugees;

(d) Continue and expand its cooperation with international agencies such as UNHCR and UNICEF.

Economic exploitation

438. While noting that the Constitution provides for the protection of children below the age of 16 years from economic exploitation and from any work which is hazardous, interferes with education or is harmful to the health or the physical, mental or spiritual or social development of the child, the Committee is concerned that the Employment of Children and Young Persons Act does not establish a clear minimum age for employment. While welcoming the fact that the State party was the second State to ratify ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Committee remains concerned at the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation within the State party.

439. **The Committee recommends that the State party:**

(a) Establish a minimum age for employment in line with international standards;

(b) Undertake an in-depth study on child labour with a view to adopting and implementing the national plan of action to prevent and combat child labour;

(c) Undertake a review of the legislation on employment with a view to ensuring that legislation complies fully with the relevant provisions of the Convention and other international instruments ratified by the State party;

(d) Provide adequate human and other resources and training to the labour inspectorate and other law enforcement agencies in order to further strengthen their capacity to monitor the implementation of child labour legislation effectively;

(e) Continue to seek assistance from ILO/IPEC and UNICEF.

Sexual exploitation and sexual abuse

440. The Committee is concerned at the lack of knowledge about sexual exploitation and abuse of children and at the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

441. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution and pornography; and implement appropriate policies and programmes for their prevention and for the rehabilitation and recovery of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.**

Sale, trafficking and abduction

442. The Committee is also concerned at information on alleged instances of trafficking in children and at the possible use of intercountry adoption for the purpose of trafficking.

443. **The Committee recommends that the State party:**

(a) Take measures such as a comprehensive programme to prevent and combat the sale and trafficking of children, and conduct an awareness-raising campaign and educational programmes, particularly for parents;

(b) Facilitate, inter alia, the reunification of child victims with their families and provide adequate care and reintegration for them;

(c) Ratify the Convention on the Civil Aspects of International Child Abduction adopted in 1980 at The Hague.

Street children

444. The Committee expresses its concern at the increasing number of street children and at the lack of specific policies and programmes to address this situation and to provide those children with adequate assistance.

445. **The Committee recommends that the State party:**

(a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with recovery and reintegrative services when they are victims of physical, sexual and substance abuse, protection from police brutality and services for reconciliation with their families and community;

(c) Undertake a study on the causes and scope of this phenomenon and establish a comprehensive strategy to address the large and increasing number of street children with the aim of protecting street children and of preventing and reducing this phenomenon;

(d) Collaborate with non-governmental organizations working with street children in the State party and seek technical assistance from, among others, UNICEF.

Administration of juvenile justice

446. While noting that section 42 (2) (g) of the Constitution provides for special protection of children in conflict with the law, the Committee remains deeply concerned at the generally poor quality of the juvenile justice system, including the too-low age of criminal responsibility, the non-respect of the rights of children during the penal procedure, the overuse and length of pre-trial detention, the appalling conditions of detention conducive to all forms of abuse, the very limited number of skilled personnel, the lack of access to assistance towards the rehabilitation and reintegration of juveniles following justice proceedings, and the sporadic training of judges, prosecutors and prison staff.

447. **The Committee recommends that the State party take the necessary steps to reform the legislation and the system of juvenile justice in line with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of**

Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System; and in light of the Committee's day of general discussion on juvenile justice (CRC/C/46, paras. 203-238).

448. **As part of this reform, the Committee particularly recommends that the State party:**

(a) Increase the minimum age of criminal responsibility;

(b) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the State party;

(c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time, limit by law the length of pre-trial detention and ensure that the lawfulness of this detention is reviewed by a judge without delay and then regularly;

(d) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, notably by establishing special prisons for children with conditions suitable to their age and needs and by ensuring the presence of social services in all detention centres in the country, and in the meantime by guaranteeing separation from adults in all prisons and in pre-trail detention places all over the country;

(e) Provide children with legal and other assistance at a early stage of the procedure;

(f) Ensure that children remain in regular contact with their families while in the juvenile justice system;

(g) Introduce regular medical examination of children by independent medical staff and address issues of individual health care in prisons, including with regard to HIV/AIDS;

(h) Establish an independent child-sensitive and accessible system for complaints for children;

(i) Strengthen diversion programmes and alternative measures to punishment, such as community service and family group conferences to involve families in the process;

(j) Introduce all over the country training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(k) Make every effort to establish a programme of social reintegration for juveniles following justice proceedings; and

(l) Request technical assistance in the area of juvenile justice and police training from, among others, the Office of the High Commissioner for Human Rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols to the Convention on the Rights of the Child and amendment to article 43 (2) of the Convention

449. The Committee notes that the State party has not ratified the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict, and has not yet accepted the amendment to article 43 (2) of the Convention for an expansion of the Committee from 10 to 18 members.

450. **The Committee recommends that the State party ratify the two Optional Protocols to the Convention on the Rights of the Child and encourages the State party to accept the amendment to article 43 (2) of the Convention.**

10. Dissemination of documentation

451. **Finally, the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Concluding observations of the Committee on the Rights of the Child: Bahrain

452. At its 769th and 770th meetings (see CRC/C/SR.769 and 770), held on 28 January 2002, the Committee on the Rights of the Child considered the initial report of Bahrain (CRC/C/11/Add.24), which was received on 3 July 2000, and adopted, at the 777th meeting, held on 1 February 2002 (CRC/C/SR.777), the following concluding observations.

A. Introduction

453. The Committee notes that the initial State party report was structured in accordance with the guidelines, although much of the information related to legal provisions or assertions of guarantees without providing information about how rights are actually enjoyed in practice. It notes with appreciation the additional information provided. The written replies were timely but did not provide sufficient information in terms of what had been requested. The Committee appreciates the attendance of a high-level delegation which contributed to an open and frank dialogue.

B. Positive aspects

454. The Committee welcomes:

(a) The pace of political reform, including the adoption of the National Action Charter, and the preparations for an elected lower house of parliament in 2004, as well as for the creation of elected municipal councils;

(b) The establishment of the Consultative Council's Human Rights Committee in October 1999;

(c) The abolition of the 1974 State Security Law and the State Security Courts in February 2001;

(d) Cooperation with the international community in the field of human rights, including the visit by the Working Group on Arbitrary Detention in October 2001 and visits by international human rights NGOs, as well as efforts to promote and facilitate the work of national NGOs;

(e) The ratification of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the ILO and the establishment of the Supreme Council for Women to assist the Government in formulating policy on women's issues;

(f) The fact that human rights studies are compulsory for law undergraduates at Bahrain University;

(g) The ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182) of the ILO;

(h) The establishment of the National Committee on Childhood in 1999 to coordinate the implementation of the Convention; and

(i) Excellent health indicators and the country's high ranking in the UNDP Human Development Report 2001.

C. Factors and difficulties impeding the implementation of the Convention

455. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that in the State party narrow interpretations of Islamic texts in areas relating to personal status law may impede the enjoyment of some human rights protected under the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

456. The Committee is concerned that in the case of Muslims the Shariah Court system - which applies Shariah personal law (marriage, divorce, custody and guardianship, inheritance, maintenance) and criminal law - lacks many basic and minimum international safeguards and procedures, including those contained in the Convention, without which the right to a fair trial or adequate access to the courts cannot be guaranteed in practice. In particular, the Committee is concerned that:

(a) Shariah remains uncodifed and is applied in its classical sense without reference to State legislation; and

(b) Because it is uncodified the system may be subject to arbitrariness, inconsistencies, and lack of uniformity between judgements of different cadis, or judges, between Shi'a and Sunni departments and disparities with decisions of the secular courts.

457. **The Committee recommends that the State party:**

(a) Conduct a comprehensive review of its domestic laws, administrative regulations and procedural rules, including Shariah, to ensure that they conform to international human rights standards, including the Convention;

(b) Ensure that laws are sufficiently clear and precise, are published, and are accessible to the public.

Coordination

458. The Committee notes that the National Committee on Childhood is entrusted with the task of coordinating government ministries and NGOs in the implementation of the Convention but does not seem to have a clear mandate in this regard. At the same time, it notes that the National Committee monitors the implementation of the Convention and receives and addresses complaints. The Committee is concerned about this combination of tasks and the lack of clarity with respect to the relationship of the National Committee to the Consultative Council's Human Rights Committee.

459. **The Committee recommends that the State party:**

(a) Establish an effective body for the coordination of the activities of government ministries and NGOs for the implementation of the Convention, with a clear mandate and adequate power, a legal framework, and a general secretariat with sufficient human, financial and other resources; and

(b) Complete and implement its comprehensive national plan of action for children, ensuring that it has been prepared through an open, consultative and participatory process, is human rights based, and includes the implementation of the Convention.

Monitoring structures

460. The Committee notes the establishment of the Consultative Council's Human Rights Committee. It also notes the information that the Human Rights Committee continues to receive individual complaints regarding the implementation of children's rights. The Committee is nevertheless concerned that the Human Rights Committee:

(a) Does not fully reflect the Paris Principles; and

(b) Does not have a child rights-sensitive procedure for dealing with complaints under the Convention.

461. **The Committee recommends that the State party:**

(a) Ensure that the Human Rights Committee fully complies with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134);

(b) Strengthen its support of the Human Rights Committee through the provision of adequate human and financial resources, and explicitly include in its mandate the monitoring and evaluation of the implementation of the Convention. The Human Rights Committee should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and to address them effectively. In this regard, the State party could consider the establishment of a focal point for children within the Human Rights Committee; and

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Data collection

462. The Committee welcomes information that the National Committee on Childhood undertook a survey in 2000 to collect and compile data on the situation of women and children in Bahrain. It further welcomes information that the Central Statistics Organization jointly with the United Nations Economic and Social Commission for Western Asia have launched the National Gender Statistics Programme aimed at strengthening national capacity to produce, use and disseminate statistics related to gender.

463. **The Committee encourages the State party:**

(a) To continue its efforts to establish a data collection system such that disaggregated data are collected on all persons under 18 years for all areas covered by the Convention, including the most vulnerable groups (i.e. non-nationals, children living in remote areas, children with disabilities, children of economically disadvantaged households, etc.), and to use these data to assess progress and design policies to implement the Convention; and

(b) To seek technical assistance from, among others, UNICEF.

Resource allocation

464. While noting information provided by the delegation with respect to increased investments in the health and education sectors, the Committee is concerned about the increasing trends towards the privatization of these sectors and the potentially negative consequences this may have on the enjoyment of economic, social and cultural rights by all children in Bahrain.

465. **The Committee recommends that the State party:**

(a) Continue and strengthen its efforts to allocate available resources - human and financial - to the maximum extent to health, education, culture and other social services;

(b) Undertake similar efforts to ensure the full implementation of the Convention; and

(c) Identify the amount and proportion of the State budget spent on children in the public and private sectors in order to evaluate the impact and the quality, as well as - in view of higher fees - the accessibility of services for children.

Cooperation with civil society

466. Noting significant steps to facilitate the establishment of NGOs, including in the field of human rights, the Committee remains concerned that insufficient efforts have been made to systematically involve civil society, particularly in the area of civil rights and freedoms, in the implementation of the Convention.

467. **The Committee recommends that the State party:**

(a) Consider a systematic approach to involving civil society, especially children's associations and human rights NGOs, throughout all stages in the implementation of the Convention, including with respect to civil rights and freedoms; and

(b) Ensure that the 1989 Law Governing Societies, Clubs and Organizations of a Cultural, Social or Sports Nature conforms to article 15 of the Convention and other international standards on freedom of association, as a step towards strengthening their participation.

Training/dissemination of the Convention

468. The Committee is concerned that the Convention has not been published in its entirety, in particular, that articles 11, 21, 22, 38 and 41-54 have been deleted in the published text. The Committee acknowledges information with respect to efforts, including in the media, to raise awareness of the Convention, but it is concerned that the State party is not undertaking adequate awareness-raising and training activities in a systematic and targeted manner.

469. **The Committee recommends that the State party:**

(a) Ensure that the Convention is published in its entirety, and that it is disseminated as such;

(b) Undertake an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(c) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel); and

(d) Seek assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

2. Definition of the child

470. The Committee is concerned that there is no defined minimum age for marriage, and that there are inconsistencies in other areas of Bahraini law with respect to minimum ages.

471. **The Committee recommends that the State party:**

(a) Continue to review, and accordingly take steps to amend, its legislation so that the minimum-age requirements are gender neutral, are explicit, and are enforced by law; and, in particular,

(b) Establish a minimum age for marriage which is the same for males and females.

3. General principles

472. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), survival and development (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children.

473. **The Committee recommends that the State party appropriately integrate general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

The right to non-discrimination

474. The Committee welcomes the steps being taken to revise legislation to ensure that it is in line with the 2001 National Action Charter, and to draft amendments to the Constitution. However, it remains concerned that the grounds of non-discrimination contained in article 18 of the 1973 Constitution and chapter 1, section 2, of the National Action Charter do not reflect the grounds of non-discrimination contained in article 2 of the Convention.

475. **The Committee encourages the State party to use this occasion to review article 18 of the Constitution, as well as chapter 1, section 2, of the National Action Charter, concerning non-discrimination, and ensure that these provisions fully reflect all the grounds of non-discrimination contained in article 2 of the Convention.**

476. Noting the significant achievements in the status of women in Bahrain, the Committee is nevertheless concerned that discrimination, contrary to article 2 of the Convention, persists in the State party. In particular, the Committee is concerned about:

(a) Discrimination against females and children born out of wedlock under existing personal status law (e.g. inheritance, custody and guardianship); and

(b) Certain vocational courses at the secondary level that are restricted to one sex.

477. **In accordance with article 2 of the Convention, the Committee recommends that the State party:**

(a) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life;

(b) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family; and

(c) Train members of the legal profession, especially the judiciary, to be gender sensitive. Religious leaders should be mobilized to support such efforts.

478. Encouraged by significant developments in this area, the Committee is nevertheless concerned at the disparities in access to social services available in Shariah communities in comparison to those in largely Sunni areas. It is also concerned about the enjoyment of rights by the *bidoon* and by non-national children, particularly children with disabilities.

479. **The Committee recommends that the State party:**

(a) Continue its efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Continue to prioritize and target resources and social services for children belonging to the most vulnerable groups; and

(c) Consider ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

480. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education) adopted by the Committee.**

Best interests of the child

481. The Committee is concerned that in actions concerning children, the general principle of the best interests of the child contained in article 3 of the Convention is not always a primary consideration, such as in matters relating to family law.

482. **The Committee recommends that the State party review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein and that this principle is taken into account when administrative, policy, court or other decisions are made.**

Respect for the views of the child

483. The Committee welcomes the information provided concerning the production of a television series for children by children. However, it is concerned that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools, and that children are not systematically heard in court and administrative proceedings in matters that affect them.

484. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate, including through legislation, within the family, the school, institutions, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for parents, teachers, social workers and local officials so that they can assist children to express their informed views and opinions and learn to take those views into consideration; and

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Protection from torture and inhuman or degrading treatment or punishment

485. The Committee is encouraged by the efforts made by the State party towards greater openness and accountability with respect to human rights, including the withdrawal of its reservation to article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the decision to transfer the public prosecution office from the Ministry of the Interior to the Ministry of Justice. The Committee regrets, however, that no information has been provided in the State party's report concerning the serious allegations of torture and arbitrary arrest of persons under 18 referred to in other reports, including the decisions and opinions of the Working Group on Arbitrary Detention (e.g. E/CN.4/1997/Add.1, E/CN.4/1998/44/Add.1) and the reports of the Special Rapporteur on torture (e.g. E/CN.4/1997/7/Add.1, E/CN.4/1999/61, E/CN.4/2000/9, E/CN.4/2001/66).

486. **The Committee strongly recommends that the State party:**

(a) Investigate effectively all cases of torture and inhuman and degrading treatment or punishment by police officers or other government officials and bring the perpetrators to justice;

(b) Pay full attention to the victims of these violations and provide them with adequate compensation, recovery and social reintegration; and

(c) Include in its subsequent reports information concerning the above recommendations.

5. Family environment and alternative care

Violence/abuse/neglect/maltreatment

487. The Committee welcomes information that a regional conference on child abuse was held in Bahrain in October 2001, and that the Bahrain Institute for Science has been commissioned to

undertake a national study on child abuse. Nevertheless, it is concerned that there is insufficient awareness of the ill-treatment of children within the family, as well as of domestic violence and its impact on children.

488. **The Committee recommends that the State party:**

(a) Ensure that the study is comprehensive, assesses the nature and extent of ill-treatment and abuse of children, including within the family, and that it is used to design policies and programmes to address this issue;

(b) Take legislative measures to prohibit all forms of violence, including corporal punishment and sexual abuse of children in the family, schools and other institutions;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective child-sensitive procedures and mechanisms to receive, monitor and investigate complaints, including intervening where necessary;

(e) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases; and

(h) Continue to seek assistance from, among others, UNICEF and WHO.

6. Health and welfare

Adolescent health

489. The Committee welcomes information that adolescent health education has been proposed for inclusion in the curricula. Nevertheless, it is concerned that insufficient information is available in relation to adolescent health, such as access to reproductive health services, and mental health counselling services.

490. **The Committee recommends that the State party:**

(a) Formulate adolescent health policies and programmes, including education, with the full participation of adolescents;

(b) Ensure that adolescents have access to child-sensitive and confidential counselling services, strengthen efforts in the area of adolescent health education within the educational system; and

(c) Seek assistance from, among others, UNICEF and WHO.

7. Education

Education

491. Noting the information provided that access to basic education is free and almost universal, the Committee is nevertheless concerned that education is still not compulsory, and that pre-primary education is available only through private institutions.

492. **The Committee recommends that the State party:**

(a) Expedite the promulgation of the draft law on free and compulsory education; and

(b) Take steps to provide free pre-primary education.

493. The Committee welcomes the detailed information provided in the report on the aims of education. And noting the proposal adopted by the National Committee in this regard, the Committee is concerned that human rights education, including the Convention, is not currently part of the curricula.

494. **The Committee recommends that the State party, taking into account the Committee's general comment No. 1 on the aims of education:**

(a) Include human rights education, including children's rights, in the curricula, particularly with respect to the development and respect for human rights, tolerance, and equality of the sexes and religious and ethnic minorities; and

(b) Seek assistance from, among others, UNICEF and UNESCO.

8. Special measures of protection

Economic exploitation

495. The Committee is concerned that the minimum age for admission to employment under article 50 of the 1976 Law (14 years) is less than the age for completion of basic education (15 years). Moreover, it is concerned that article 58 of the Law exempts family enterprises.

496. **The Committee recommends that the State party:**

(a) Ratify the Minimum Age Convention, 1973 (No. 138) of the ILO;

(b) Implement ILO Recommendations No. 146 (Minimum Age Recommendation) and No. 190 (Worst Forms of Child Labour); and

(c) Seek assistance from, among others, the ILO.

Administration of juvenile justice

497. The Committee is concerned that:

(a) There is no minimum age of criminal responsibility: although article 32 of the 1976 Penal Code provides that persons under 15 are not criminally responsible, they can nevertheless be subject to sanctions under the 1976 Juvenile Act, such as detention in social welfare centres for up to 10 years for felonies (e.g. article 12 of the 1976 Juvenile Law);

(b) Under article 2 of the 1976 Juvenile Law, persons who commit status offences (e.g. begging, dropping out, misbehaviour, etc.) are subject to legal sanctions;

(c) Under the 1976 Penal Code and 1966 Criminal Procedure Code persons under 18 may be prosecuted for crimes in the same manner as adults (i.e. without special procedures), and be subject to the same penalties as adults.

498. **The Committee recommends that the State party:**

(a) Review and reform all existing legislation to ensure that, with respect to persons under 18 years, the criminal justice system fully integrates into its procedures and practices the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Establish a minimum age of criminal responsibility that is in accordance with the principles and provisions of the Convention;

(c) End the criminalization of status offences;

(d) Ensure that the deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by the court, and that persons under 18 are not detained with adults;

(e) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(f) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(g) Train professionals in the area of rehabilitation and social reintegration of children; and

(h) Seek assistance from, among others, the Office of the High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

499. **The Committee recommends that the State party ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of documents

500. **The Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee following its consideration of the report. Such documents should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.**

Concluding observations of the Committee on the Rights of the Child: Andorra

501. The Committee considered the initial report of Andorra (CRC/C/61/Add.3), submitted on 27 July 2000, at its 771st and 772nd meetings (see CRC/C/SR.771-772), held on 29 January 2002, and adopted at the 777th meeting, held on 1 February 2002 (CRC/C/SR.777), the following concluding observations.

A. Introduction

502. The Committee welcomes the submission of the State party's initial report, which follows the guidelines for reporting, as well as the detailed written replies to its list of issues (CRC/C/Q/AND.1) containing a lot of statistical data which gave a clearer understanding of the situation of children in the State party. It further notes with appreciation the high-ranking delegation sent by the State party and welcomes the frank dialogue and the positive reactions to the suggestions and recommendations made during the discussion.

B. Positive aspects

503. The Committee notes with satisfaction the efforts made by the State party to modernize its traditional legal system. In particular, it welcomes the adoption of the Law on Adoption and Other Forms of Protection for the Abandoned Minor of 1996, the Qualified Law on Minors' Jurisdiction, which partially amends the Penal Code and the Qualified Law on Justice of 22 April 1999, the Law regulating Leave for Maternity or Adoption of 22 June 2000 and the Regulations for Child-care in Private Homes of 2001.

504. The Committee notes with appreciation that a Secretariat of State for the Family was established in May 2001 for effective coordination between the various ministries and institutions in charge of children. It further notes the establishment in May 1999 of a Social Care Unit for Children in charge of vulnerable children.

505. The Committee welcomes the reform of the juvenile justice system with the establishment of judges for minors, a new section for minors within the judiciary, specialized services for juveniles under the Ministry of Justice and the Interior, and the establishment of a minors' unit within the police.

506. The Committee welcomes Andorra's ratification of the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

507. The Committee welcomes the international cooperation on behalf of children provided by the Principality of Andorra in cooperation with non-governmental organizations.

C. Principal areas of concern and recommendation

1. General measures of implementation

Legislation

508. The Committee notes that the State party is carrying out a legislative review regarding legislation relevant to children in order to bring it fully into compliance with the principles and provisions of the Convention.

509. **The Committee encourages the State party to continue and complete its review of legislation relevant to children to ensure full compliance with the Convention and its rights-based approach.**

Declaration

510. The Committee is concerned at the State party's declaration on articles 7 and 8 of the Convention made upon ratification, but welcomes the information from the delegation of the State party regarding its possible withdrawal.

511. **The Committee encourages the State party to withdraw its declaration made upon ratification of the Convention as soon as possible.**

Coordination

512. The Committee notes that the newly established Secretariat of State for the Family foresees the creation of a body to coordinate national action and establish effective coordination. However, it is concerned that the coordinating responsibilities of the Secretariat of State for the Family with regard to its activities concerning the implementation of the Convention are unclear.

513. **The Committee encourages the State party to strengthen its efforts to make the Secretariat of State for the Family the coordinating body for all activities relating to the implementation of the Convention by ensuring that it is vested with adequate responsibilities and human and financial resources to carry out this task in an effective manner.**

Monitoring

514. The Committee notes that the *Raonador del Ciutadà* deals, inter alia, with individual complaints concerning activities of the Government and is accessible to all Andorran citizens. However, the Committee expresses its concern that this office does not have a clear mandate covering children's rights and violations and its existence is not known to children.

515. **The Committee encourages the State party to establish an independent and effective mechanism, in accordance with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:**

(a) Has a clear mandate also to monitor the implementation of the Convention;

(b) Deals with complaints from children in a child-sensitive and expeditious manner; and

(c) Provides remedies for violations of child rights under the Convention.

Allocation of budgetary resources

516. Notwithstanding the detailed information provided by the State party, the Committee regrets that the data provided by the State party fail to specify the amount allocated to children from the budget.

517. **In light of article 4 of the Convention, the Committee recommends that the State party identify the amount and proportion of the State budget spent on children in the public, private and NGO sectors in order to evaluate the impact and effect of the expenditures and also, in view of the costs, the accessibility, the quality and the effectiveness of the services for children in the various sectors.**

Data collection

518. The Committee acknowledges the considerable and detailed data included in the State party's reports and the intention of the State party to provide guidelines in 2002 to ministries and institutions involved with children with a view to obtaining standardized and coordinated data on children. However, it expresses its concern at the lack of a unified and adequate data-collection mechanism within the State party to ensure the collection of disaggregated data on all aspects of the Convention to be used for the effective monitoring and evaluation of progress achieved and the assessment of the impact of policies adopted with respect to children. It further notes that there is a lack of data on the incidence of HIV/AIDS in the Principality of Andorra.

519. **The Committee encourages the State party to continue its efforts to develop a comprehensive system of data collection incorporating all the areas covered by the Convention. Such a system should cover all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable.**

Dissemination

520. While noting initial efforts to disseminate the Convention among NGOs and the media, the Committee considers that education for children and the public at large and training activities for professional groups on children's rights need ongoing attention.

521. **The Committee recommends that the State party:**

(a) Renew its efforts to disseminate the Convention, both to children and to the broader public, including through appropriate material specifically for children translated in the various languages spoken in the Principality of Andorra, including the languages spoken by migrant children;

(b) Encourage the study on the evaluation of dissemination activities;

(c) Undertake systematic education and training programmes on the provisions of the Convention for all professional groups working for and with children, such as judges, lawyers, law enforcement officials, civil servants, teachers, health personnel, including psychologists, and social workers.

Cooperation with NGOs

522. The Committee expresses its concern that the State party's cooperation with NGOs at the national level is not sufficiently developed.

523. **The Committee encourages the State party to take adequate steps to improve its cooperation with NGOs at the national level.**

2. Definition of the child

524. The Committee notes with concern that the low minimum age for marriage is 16 years of age, 14 years of age with a judge's permission.

525. **The Committee recommends that the State party review its legislation with a view to increasing the minimum age of marriage.**

3. General principles

526. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), the right to life, survival and development of the child (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

527. **The Committee recommends that the State party:**

(a) Appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children;

(b) Apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children; and

(c) Apply these principles in policy-making and planning at every level, as well as in actions taken by social and health welfare and educational institutions, courts of law and administrative authorities.

Non-discrimination

528. The Committee notes with concern that children of seasonal workers residing illegally in the State party may have difficulties in accessing health and education services.

529. **In light of article 2 of the Convention, the Committee, while welcoming the information that the children of seasonal workers residing illegally in the State party are in practice provided with emergency health care, recommends that the State party take the necessary steps to allow these children access to basic and other social services such as health care and education.**

530. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education) adopted by the Committee.**

Respect for the views of the child

531. The Committee is concerned that the general principle of the Convention laid down in article 12 (respect for the views of the child) is not fully applied and duly integrated into the implementation of the policies and programmes of the State party.

532. **The Committee recommends that further efforts be made to ensure the implementation of the principle of respect for the views of the child. In this connection, particular emphasis should be placed on the right of the child to participate in the family, at school, and generally in society. The general principle should also be reflected in all policies and programmes relating to children. Awareness-raising among the public at large as well as educational programmes on the implementation of this principle should be reinforced.**

Child rights-based approach

533. The Committee is concerned at the traditional approach, essentially based on welfare and protection, taken by the State party with regard to the implementation and monitoring of children's issues.

534. **The Committee recommends that the State party strengthen its child rights-based approach on all issues relevant to children.**

4. Family environment and alternative care

Parental responsibilities

535. The Committee notes with concern the negative impact on children of both parents working during the weekend. It further notes the increase of single-parent families.

536. **The Committee recommends that the State party:**

(a) Undertake studies on how parental weekend work affects children and on single-parent families in order to assess the extent, scope and nature of these phenomena;

(b) Develop appropriate measures to deal with these situations.

Childcare services for children of working parents

537. The Committee notes with concern that, according to information provided by the State party, only 39.64 per cent of children aged from 0 to 2 years have a place in kindergarten, while in a large percentage of families both parents work. It further notes that the State party has started to take measures to deal with this issue.

538. **In light of article 18, paragraph 3, of the Convention, the Committee recommends that the State party:**

(a) Take measures to establish more childcare services;

(b) Implement effectively the Regulations for Child-care in Private Homes of 2001, including by training the personnel and providing appropriate human and financial support;

(c) Ensure that the childcare services provided promote early childhood development and meet the needs of working parents.

Child abuse/corporal punishment

539. The Committee expresses its concern at the lack of data and information on child abuse and neglect. Further, while noting that corporal punishment in school is prohibited under law, it remains concerned that corporal punishment in the family is not expressly prohibited. It also notes with concern reports about episodes of bullying in schools.

540. **In light of article 19, the Committee recommends that the State party:**

(a) Undertake studies on violence, ill-treatment and abuse, including sexual abuse, within the family, and bullying in schools in order to assess the extent, scope and nature of these practices;

(b) Develop awareness-raising campaigns in order to prevent and combat child abuse with the involvement of children;

(c) Evaluate the work of existing structures and provide training to the professionals involved in this type of case;

(d) Investigate effectively cases of violence, ill-treatment and abuse of children, including sexual abuse, within the family, through a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy;

(e) Prohibit the practice of corporal punishment in the family and conduct information campaigns targeting, among others, parents, children, law enforcement and judicial officials and teachers, explaining children's rights in this regard and encouraging the use of alternative forms of discipline in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28 (2).

5. Basic health and welfare

Adolescent health

541. The Committee expresses its concern about the health problems faced by adolescents within the State party, including drug abuse, and the fact that they make little use of the health services available to them. In particular, it takes note of the number of cases of anxiety and depression affecting children and of the fact that psychological treatments for children are not covered by the national social security system.

542. **The Committee recommends that the State party:**

(a) Continue and expand the services provided by Consulta Jove;

(b) Continue and strengthen its activities to prevent HIV/AIDS and sexually transmitted diseases, drug and other substances abuse and unwanted pregnancies, and strengthen the programme of health education in schools;

(c) Undertake a study on child mental health problems, in particular anxiety and depression, and take measures to prevent and combat them;

(d) Ensure that psychological treatments for children are covered by the national social security system.

6. Special protection measures

Economic exploitation

543. Noting the attention given by the State party to children under 16 working in a family context, the Committee is concerned that such work may interfere with children's right to education.

544. **The Committee recommends that the State party continue and strengthen its efforts to ensure respect for the rights of children under 16 working in a family context, particularly the right to education.**

Juvenile justice

545. While noting the improvements in the juvenile justice system as a result of the enactment of the Qualified Law on Minors' Jurisdiction, which partially amends the Penal Code and the Qualified Law on Justice of 22 April 1999, the Committee is concerned that juveniles aged 16 and 17 years are treated as adults and can be sentenced to up to 15 years of imprisonment.

546. **The Committee recommends that the State party establish a juvenile justice system which is in full compliance with the Convention, in particular articles 37, 40 and 39, as well as with other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), in particular by extending the applicability of the Qualified Law on Minors' Jurisdiction to all children under the age of 18 at the time the offence was committed.**

7. Dissemination of documentation

547. **In light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.**

IV. INTERSESSIONAL ACTIVITIES OF THE COMMITTEE

548. During the session, the Committee was informed by members about various meetings in which they had participated.

549. The Second World Congress against Commercial Sexual Exploitation of Children was held in Yokohama, Japan, from 17 to 20 December 2001, co-organized by the Government of Japan, UNICEF, ECPAT International and the NGO Group for the Convention on the Rights of the Child. Mr. Doek represented the Committee at the Congress and Ms. Chutikul and Mr. Al-Sheddi also participated in this event. Mr. Doek made a presentation on "The follow-up process to the Second World Congress".

550. From 23 to 25 November 2001, Ms. Ouedraogo represented the Committee at the International Consultative Conference on School Education in relation with Freedom of Religion and Belief, Tolerance and Non-Discrimination held in Madrid. Ms. Ouedraogo made a statement to the plenary which is annexed to the present report (annex IX).

551. Ms. Ouedraogo was invited by the Intergovernmental Agency of la Francophonie to participate in a seminar on "Child rights and combating poverty" held from 26 to 28 November 2001 in Yaoundé. Participants at the meeting adopted recommendations focusing on poverty reduction measures. Ms. Ouedraogo also attended, as a member of the Consultative Council of the Global Alliance for Women's Health, an international NGO, the twelfth Conference on HIV/AIDS and Sexually Transmitted Diseases (STD) in Africa, held from 9 to 13 December 2001 in Ouagadougou. The theme of the conference was "Focusing on community involvement". In their conclusions, participants highlighted, inter alia, the role of communities, the necessity of rapidly undertaking research on vaccines and the responsibilities

of the political and scientific communities in fighting HIV/AIDS and STDs. A parallel international youth forum also took place which highlighted the significant role young people can play in preventing and combating HIV/AIDS and STDs.

552. Mr. Doek attended a conference on "free time of European Youth" held in Bologna (25-27 October 2001) and made a presentation on free time, drop-outs and delinquency. From 16 to 17 November, Mr. Doek participated in a seminar on juvenile delinquency and children's rights held in Alamaty and organized by the Ministry of Justice of Kazakhstan in collaboration with the Soros Foundation. He made a presentation on "Juvenile justice as a distinct realm of justice worldwide: a historical and contemporary perspective".

553. On 20 November 2001, Mr. Doek participated in an international conference on children's rights at the University of Maastricht (the Netherlands) as a respondent to a presentation on early marriage and the right to education of disabled children. From 27 November to 1 December 2001 he participated in an international conference on children, torture and other forms of violence, held in Tampere, Finland, and organized by the World Organization against Torture, with the support of OHCHR and the Government of Finland. He made a presentation on "An international study on violence against children: why, what and how?". In December, Mr. Doek made a presentation on "The social context of the implementation of the Convention on the Rights of the Child" at the First Annual Conference of the Center on Children and the Law of the University of Florida held on 7 and 8 December in Gainesville (United States of America).

V. COOPERATION WITH UNITED NATIONS AND OTHER COMPETENT BODIES

554. During the pre-sessional working group and the session itself, the Committee held various meetings with United Nations bodies and specialized agencies, as well as other competent bodies, in the framework of its ongoing dialogue and interaction with these bodies in the light of article 45 of the Convention.

555. The Special Rapporteur of the Commission on Human Rights on freedom of religion and belief, Mr. Abdelfattah Amor, met with members of the Committee on 15 January 2001. The purpose of the meeting was to inform them about the International Consultative Conference on School Education in relation with Freedom of Religion and Belief, Tolerance and Non-Discrimination which took place in Madrid from 23 to 25 November 2001. Eighty States were represented at the conference, which adopted a Final Document by consensus. A study Mr. Amor had undertaken prior to the Conference clearly showed that too often school programmes and educational manuals and textbooks do not comply with international standards in the field. The Special Rapporteur further discussed the ways the Committee could use the Final Document, including as a tool for the Convention on the Rights of the Child reporting process.

556. At its 774th meeting, held on 30 January 2002, the Committee met with its United Nations and non-governmental partners to discuss recent developments in the field of child rights and the ways they follow up the recommendations of the Committee at country level.

The representative of UNICEF informed the Committee about recent developments regarding the General Assembly special session on children that had been rescheduled for 8 to 10 May 2002 following its postponement after 11 September 2001. The UNICEF representative also informed the Committee about the medium-term strategic plan for 2002-2005 adopted by the UNICEF Executive Board in December 2001. She explained how UNICEF country offices followed-up recommendations made by the Committee. Whenever possible, UNICEF integrated these recommendations in its country programmes. UNICEF also usually convened at national level consultations with country and United Nations partners to discuss measures to be taken after the Committee adopted concluding observations on a specific country.

557. The representative of ILO explained that each concluding observation adopted by the Committee is sent to the respective ILO country offices for follow-up on labour issues. She said that protection from economic exploitation, related to many provisions of the ILO conventions, such as the rights to health, to education, to rest, and to protection from trafficking and sale. She further expressed the strong hope that the "outcome documents" of the special session on children would not undermine the existing obligations under the Convention regarding child labour, namely the minimum age for employment. She also informed the Committee about the release in June 2002 of a global report on child labour, within the framework of the follow-up to the Declaration on Fundamental Principles and Rights at Work. She added that ILO would in the future further intensify its cooperation with the Committee now that the two Optional Protocols to the Convention on children and armed conflict and on sale of children, child prostitution and child pornography had come into force, as they covered issues addressed in ILO Convention No. 182.

558. The representative of UNHCR explained to the Committee the value of its concluding observations to the work of his organization and said that every recommendation was systematically brought back to be followed-up at country level. The tragic events of 11 September had had a negative impact on the respect of the rights of refugees worldwide, as UNHCR had had indications that several Governments took steps to review their policies to restrict these rights. UNHCR was engaged in an internal sensitization process on child rights and it organized regional training seminars on the Convention.

559. A representative of the NGO Group for the Convention on the Rights of the Child explained how non-governmental organizations worked to follow up the recommendations of the Committee. Her international umbrella organization conducted a survey during 2001 among national child rights coalitions in 17 countries to improve the understanding of their follow-up work.

VI. FUTURE DAY OF GENERAL DISCUSSION

560. At its 755th meeting, held on 17 January 2002, the Committee discussed its future day of general discussion on the private sector and child rights. "The private sector as service provider and its role in implementing child rights" will be the theme for the day, which will take place on 20 September 2002 during the thirty-first session of the Committee. At its 766th meeting (24 January 2002) the Committee adopted the outline for its discussion day (annex VIII).

VII. WORKING METHODS

561. At its 776th meeting, held on 31 January 2002, the Committee decided to send a letter to all States parties whose initial reports were due in 1992 and 1993, requesting them to submit that report within one year. The Committee further decided to inform those States parties in the same letter that should they not report within one year, the Committee would consider the situation of child rights in the State in the absence of the initial report, as foreseen in the Committee's "Overview of the reporting procedures" (CRC/C/33, paras. 29-32) and in light of rule 67 of the Committee's provisional rules of procedure (CRC/C/4).

VIII. GENERAL COMMENTS

562. At its 759th meeting, held on 21 January 2002, the Committee discussed its future general comment on HIV/AIDS. At its 768th meeting, held on 25 January 2002, the Committee discussed its future general comment on independent monitoring bodies.

IX. OPTIONAL PROTOCOLS

563. At its 776th meeting, held on 31 January 2002, the Committee adopted the guidelines regarding initial reports to be submitted by States parties under article 12, paragraph 1, of the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/OP/SA/1).

X. BIENNIAL REPORT TO THE GENERAL ASSEMBLY

564. At its 776th meeting, held on 31 January 2002, the Committee adopted the outline of its biennial report to the fifty-seventh session of the General Assembly (A/57/41), in accordance with article 44, paragraph 5, of the Convention.

XI. DRAFT PROVISIONAL AGENDA FOR THE THIRTIETH SESSION

565. The following is the draft provisional agenda for the thirtieth session of the Committee:

1. Adoption of the agenda.

2. Organizational matters.

3. Submission of reports by States parties.

4. Consideration of reports of States parties.

5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.

6. Methods of work of the Committee.

7. General comments.

8. Future meetings.

9. Other matters.

XII. ADOPTION OF THE REPORT

566. At its 777th meeting, held on 1 February 2002, the Committee considered the draft report on its twenty-ninth session. The report was adopted unanimously by the Committee.

Annex I

STATES WHICH HAVE SIGNED, RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 1 FEBRUARY 2002 (191)

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993[a]	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992[a]	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992[a]	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina[b]			6 March 1992
Botswana		14 March 1995[a]	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995[a]	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992[a]	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993[a]	13 November 1993
Cook Islands		6 June 1997[a]	6 July 1997
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia[b]			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic[b]			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Democratic Republic of the Congo	20 March 1990	27 September 1990	27 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992[a]	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991[a]	20 November 1991
Ethiopia		14 May 1991[a]	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994[a]	2 July 1994

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990[a]	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992[a]	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994[a]	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakhstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995[a]	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991[a]	7 June 1991
Latvia		14 April 1992[a]	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993[a]	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996

States	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Lithuania		31 January 1992[a]	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991[a]	1 February 1991
Malaysia		17 February 1995[a]	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990[a]	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993[a]	4 June 1993
Monaco		21 June 1993[a]	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991[a]	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994[a]	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995[a]	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Oman		9 December 1996[a]	8 January 1997
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995[a]	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993[a]	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993[a]	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991[a]	25 December 1991
Sao Tome and Principe		14 May 1991[a]	13 June 1991
Saudi Arabia		26 January 1996[a]	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990[a]	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995[a]	4 November 1995
Slovakia[b]			1 January 1993
Slovenia[b]			25 June 1991
Solomon Islands		10 April 1995[a]	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Switzerland	1 May 1991	24 February 1997	26 March 1997
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993[a]	25 November 1993
Thailand		27 March 1992[a]	26 April 1992
The former Yugoslav Republic of Macedonia[b]			17 September 1991

State	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995[a]	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993[a]	19 October 1993
Tuvalu		22 September 1995[a]	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Arab Emirates		3 January 1997[a]	2 February 1997
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994[a]	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zambia	30 September 1990	5 December 199 1	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

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[a] Accession.

[b] Succession.

Annex II

STATES WHICH HAVE SIGNED (94), OR RATIFIED OR ACCEDED TO (13) THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT AS AT 1 FEBRUARY 2002

(entered into force on 12 February 2002)

State	Date of signature	Date of receipt of instrument of ratification/accession
Andorra	7 September 2000	30 April 2001
Argentina	15 June 2000	
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belgium	6 September 2000	
Belize	6 September 2000	
Benin	22 February 2001	
Bosnia and Herzegovina	7 September 2000	-
Brazil	6 September 2000	
Bulgaria	8 June 2001	
Burkina Faso	16 November 2001	
Burundi	13 November 2001	
Cambodia	27 June 2000	
Cameroon	5 October 2001	
Canada	5 June 2000	7 July 2000
Chile	15 November 2001	
China	15 March 2001	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	
Czech Republic	6 September 2000	30 November 2001
Democratic Republic of the Congo	8 September 2000	11 November 2001
Denmark	7 September 2000	
Ecuador	6 September 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
El Salvador	18 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	24 October 2001
Iceland	7 September 2000	1 October 2001
Indonesia	24 September 2001	
Ireland	7 September 2000	
Israel	14 November 2001	
Italy	6 September 2000	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	
Kenya	8 September 2000	28 January 2002
Latvia	1 February 2002	
Lesotho	6 September 2000	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Mali	8 September 2000	
Malta	7 September 2000	
Mauritius	11 November 2001	
Mexico	7 September 2000	
Monaco	26 June 2000	13 November 2001
Mongolia	12 November 2001	
Morocco	8 September 2000	
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
Netherlands	7 September 2000	
New Zealand	7 September 2000	12 November 2001
Nigeria	8 September 2000	
Norway	23 June 2000	
Pakistan	26 September 2001	
Panama	31 October 2000	8 August 2001
Paraguay	13 September 2000	
Peru	1 November 2000	
Philippines	8 September 2000	
Portugal	6 September 2000	
Republic of Korea	6 September 2000	
Romania	6 September 2000	10 November 2001
Russian Federation	15 February 2001	
San Marino	5 June 2000	
Senegal	8 September 2000	
Seychelles	23 January 2001	
Sierra Leone	8 September 2000	
Singapore	7 September 2000	
Slovakia	30 November 2001	
Slovenia	8 September 2000	
Spain	6 September 2000	
Sri Lanka	21 August 2000	8 September 2000
Sweden	8 June 2000	
Switzerland	7 September 2000	
The former Yugoslav Republic of Macedonia	17 July 2001	
Togo	15 November 2001	
Turkey	8 September 2000	
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	
Yugoslavia	8 October 2001	

Annex III

STATES WHICH HAVE SIGNED (94) OR RATIFIED OR ACCEDED TO (16) THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY AS AT 1 FEBRUARY 2002

(entered into force on 18 January 2002)

State	Date of signature	Date of receipt of instrument of ratification/accession
Andorra	7 September 2000	30 April 2001
Antigua and Barbuda	18 December 2001	
Australia	18 December 2001	
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belarus		23 January 2002[a]
Belgium	6 September 2000	
Belize	6 September 2000	
Benin	22 February 2001	
Bolivia	10 November 2001	
Bosnia and Herzegovina	7 September 2000	
Brazil	6 September 2000	
Bulgaria	8 June 2001	
Burkina Faso	16 November 2001	
Cambodia	27 June 2000	
Cameroon	5 October 2001	
Canada	10 November 2001	
Chile	28 June 2000	
China	6 September 2000	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	25 September 2001
Cyprus	8 February 2001	
Democratic Republic of the Congo		11 November 2001[a]
Denmark	7 September 2000	
Ecuador	6 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	

State	Date of signature	Date of receipt of instrument of ratification/accession
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	24 October 2001
Iceland	7 September 2000	9 July 2001
Indonesia	24 September 2001	
Ireland	7 September 2000	
Israel	14 November 2001	
Italy	6 September 2000	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	24 August 2001
Kenya	8 September 2000	
Latvia	1 February 2002	
Lebanon	10 October 2001	
Lesotho	6 September 2000	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Malta	7 September 2000	
Mauritius	11 November 2001	
Mexico	7 September 2000	
Monaco	26 June 2000	
Mongolia	12 November 2001	
Morocco	8 September 2000	2 October 2001
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	
Netherlands	7 September 2000	
New Zealand	7 September 2000	
Nigeria	8 September 2000	
Norway	13 June 2000	2 October 2001

State	Date of signature	Date of receipt of instrument of ratification/accession
Pakistan	26 September 2001	
Panama	31 October 2000	9 February 2001
Paraguay	13 September 2000	
Peru	1 November 2000	
Philippines	8 September 2000	
Portugal	6 September 2000	
Qatar		14 December 2001[a]
Republic of Korea	6 September 2000	
Romania	6 September 2000	18 October 2001
San Marino	5 June 2000	
Senegal	8 September 2000	
Seycheles	23 January 2001	
Sierra Leone	8 September 2000	17 September 2001
Slovakia	30 November 2001	
Slovenia	8 September 2000	
Spain	6 September 2000	18 December 2001
Sweden	8 September 2000	
Switzerland	7 September 2000	
The former Yugoslav Republic of Macedonia	17 July 2001	
Togo	15 November 2001	
Turkey	8 September 2000	
Uganda		30 November 2001
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	
Yugoslavia	8 October 2001	

[a] Accession.

Annex IV

MEMBERSHIP OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

Name of member	Country of nationality
Mr. Ibrahim Abdul Aziz AL-SHEDDI**	Saudi Arabia
Ms. Ghalia Mohd Bin Hamad AL-THANI**	Qatar
Ms. Saisuree CHUTIKUL**	Thailand
Mr. Luigi CITARELLA**	Italy
Mr. Jacob Egbert DOEK*	Netherlands
Ms. Amina Hamza EL GUINDI*	Egypt
Ms. Judith KARP*	Israel
Ms. Awa N'Deye OUEDRAOGO*	Burkina Faso
Ms. Marilia SARDENBERG**	Brazil
Ms. Elisabeth TIGERSTEDT-TÄHTELÄ*	Finland

* Term expires on 28 February 2003.

** Term expires on 28 February 2005.

Annex V

STATUS OF SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 1 FEBRUARY 2002

Initial reports due in 1992

State party	Date of entry into force	Date due	Date of submission	Symbol
Bangladesh	2 September 1990	1 September 1992	15 November 1995	CRC/C/3/Add.38 and Add.49
Barbados	8 November 1990	7 November 1992	12 September 1996	CRC/C/3/Add.45
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14
Belize	2 September 1990	1 September 1992	1 November 1996	CRC/C/3/Add.46
Benin	2 September 1990	1 September 1992	22 January 1997	CRC/C/3/Add.52
Bhutan	2 September 1990	1 September 1992	20 April 1999	CRC/C/3/Add.59
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992	19 March 1998	CRC/C/3/Add.58
Chad	1 November 1990	31 October 1992	14 January 1997	CRC/C/3/Add.50
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992	13 February 1996	CRC/C/3/Add.41
Democratic Republic of the Congo	27 October 1990	26 October 1992	16 February 1998	CRC/C/3/Add.57
Ecuador	2 September 1990	1 September 1992	11 June 1996	CRC/C/3/Add.44
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9 and Add.28
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992	20 November 1999	CRC/C/3/Add.61

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Ghana	2 September 1990	1 September 1992	20 November 1995	CRC/C/3/Add.39
Grenada	5 December 1990	4 December 1992	24 September 1997	CRC/C/3/Add.55
Guatemala	2 September 1990	1 September 1992	5 January 1995	CRC/C/3/Add.33
Guinea	2 September 1990	1 September 1992	20 November 1996	CRC/C/3/Add.48
Guinea-Bissau	19 September 1990	18 September 1992	6 September 2000	CRC/C/3/Add.63
Holy See	2 September 1990	1 September 1992	2 March 1994	CRC/C/3/Add.27
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add.17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add.10 and Add.26
Kenya	2 September 1990	1 September 1992	13 January 2000	CRC/C/3/Add.62
Mali	20 October 1990	19 October 1992	2 April 1997	CRC/C/3/Add.53
Malta	30 October 1990	29 October 1992	26 December 1997	CRC/C/3/Add.56
Mauritius	2 September 1990	1 September 1992	25 July 1995	CRC/C/3/Add.36
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add.11
Mongolia	2 September 1990	1 September 1992	20 October 1994	CRC/C/3/Add.32
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add.12
Nepal	14 October 1990	13 October 1992	10 April 1995	CRC/C/3/Add.34
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add.25
Niger	30 October 1990	29 October 1992	28 December 2000	CRC/C/3/Add.29/Rev.1
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add.13
Paraguay	25 October 1990	24 October 1992	30 August 1993 and 13 November 1996	CRC/C/3/Add.22 and Add.47
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add.7 and Add.24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add.23
Portugal	21 October 1990	20 October 1992	17 August 1994	CRC/C/3/Add.30
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add.16
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add.5

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Saint Kitts and Nevis	2 September 1990	1 September 1992	21 January 1997	CRC/C/3/Add.51
Senegal	2 September 1990	1 September 1992	12 September 1994	CRC/C/3/Add.31
Seychelles	7 October 1990	6 October 1992	7 February 2001	CRC/C/3/Add.64
Sierra Leone	2 September 1990	1 September 1992	10 April 1996	CRC/C/3/Add.43
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992	27 February 1996	CRC/C/3/Add.42
Uganda	16 September 1990	15 September 1992	1 February 1996	CRC/C/3/Add.40
Uruguay	20 December 1990	19 December 1992	2 August 1995	CRC/C/3/Add.37
Venezuela	13 October 1990	12 October 1992	9 July 1997	CRC/C/3/Add.54
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and Add.21
Zimbabwe	11 October 1990	10 October 1992	23 May 1995	CRC/C/3/Add.35

Initial reports due in 1993

Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993	17 March 1993	CRC/C/8/Add.2 and Add.17
Australia	16 January 1991	15 January 1993	8 January 1996	CRC/C/8/Add.31
Bahamas	22 March 1991	21 March 1993		
Bulgaria	3 July 1991	2 July 1993	29 September 1995	CRC/C/8/Add.29
Colombia	7 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993	22 January 1998	CRC/C/8/Add.41
Croatia	7 November 1991	6 November 1993	8 November 1994	CRC/C/8/Add.19
Cuba	20 September 1991	19 September 1993	27 October 1995	CRC/C/8/Add.30
Cyprus	9 March 1991	8 March 1993	22 December 1994	CRC/C/8/Add.24

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add.8
Djibouti	5 January 1991	4 January 1993	17 February 1998	CRC/C/8/Add.39
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993	1 December 1999	CRC/C/8/Add.40
Estonia	20 November 1991	19 November 1993	7 June 2001	CRC/C/8/Add.45
Ethiopia	13 June 1991	12 June 1993	10 August 1995	CRC/C/8/Add.27
Finland	20 July 1991	19 July 1993	12 December 1994	CRC/C/8/Add.22
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993	28 June 1996	CRC/C/8/Add.34
Israel	2 November 1991	1 November 1993	20 February 2001	CRC/C/8/Add.44
Italy	5 October 1991	4 October 1993	11 October 1994	CRC/C/8/Add.18
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add.12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add.4
Kuwait	20 November 1991	19 November 1993	23 August 1996	CRC/C/8/Add.35
Lao People's Democratic Republic	7 June 1991	6 June 1993	18 January 1996	CRC/C/8/Add.32
Lebanon	13 June 1991	12 June 1993	21 December 1994	CRC/C/8/Add.23
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add.5
Malawi	1 February 1991	31 January 1993	1 August 2000	CRC/C/8/Add.43
Maldives	13 March 1991	12 March 1993	6 July 1994	CRC/C/8/Add.33 and Add.37
Mauritania	15 June 1991	14 June 1993	18 January 2000	CRC/C/8/Add.42
Myanmar	14 August 1991	13 August 1993	14 September 1995	CRC/C/8/Add.9
Nigeria	19 May 1991	18 May 1993	19 July 1995	CRC/C/8/Add.26
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add.7
Panama	11 January 1991	10 January 1993	19 September 1995	CRC/C/8/Add.28
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add.11

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Republic of Korea	20 December 1991	19 December 1993	17 November 1994	CRC/C/8/Add.21
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Slovenia	25 June 1991	24 June 1993	29 May 1995	CRC/C/8/Add.25
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993	23 March 1994	CRC/C/8/Add.13
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993	4 March 1997	CRC/C/8/Add.36
Ukraine	27 September 1991	26 September 1993	8 October 1993	CRC/C/8/Add.10/Rev.1
United Republic of Tanzania	10 July 1991	9 July 1993	20 October 1999	CRC/C/8/Add.14/Rev.1
Yemen	31 May 1991	30 May 1993	14 November 1994	CRC/C/8/Add.20 and Add.38
Yugoslavia	2 February 1991	1 February 1993	21 September 1994	CRC/C/8/Add.16

Initial reports due in 1994

Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994	8 October 1996	CRC/C/11/Add.14
Azerbaijan	12 September 1992	11 September 1994	9 November 1995	CRC/C/11/Add.8
Bahrain	14 March 1992	14 March 1994	3 August 2000	CRC/C/11/Add.24
Belgium	15 January 1992	14 January 1994	12 July 1994	CRC/C/11/Add.4

Initial reports due in 1994 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994	18 December 1997	CRC/C/11/Add.16
Canada	12 January 1992	11 January 1994	17 June 1994	CRC/C/11/Add.3
Cape Verde	4 July 1992	3 July 1994	30 November 1999	CRC/C/11/Add.23
Central African Republic	23 May 1992	23 May 1994	15 April 1998	CRC/C/11/Add.18
China	1 April 1992	31 March 1994	27 March 1995	CRC/C/11/Add.7
Czech Republic	1 January 1993	31 December 1994	4 March 1996	CRC/C/11/Add.11
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994	30 August 1994	CRC/C/11/Add.5
Iceland	27 November 1992	26 November 1994	30 November 1994	CRC/C/11/Add.6
Ireland	28 October 1992	27 October 1994	4 April 1996	CRC/C/11/Add.12
Latvia	14 May 1992	13 May 1994	25 November 1998	CRC/C/11/Add.22
Lesotho	9 April 1992	8 April 1994	27 April 1998	CRC/C/11/Add.20
Lithuania	1 March 1992	28 February 1994	6 August 1998	CRC/C/11/Add.21
Slovakia	1 January 1993	31 December 1994	6 April 1998	CRC/C/11/Add.17
Thailand	26 April 1992	25 April 1994	23 August 1996	CRC/C/11/Add.13
Trinidad and Tobago	4 January 1992	3 January 1994	16 February 1996	CRC/C/11/Add.10
Tunisia	29 February 1992	28 February 1994	16 May 1994	CRC/C/11/Add.2
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994	15 March 1994	CRC/C/11/Add.1, Add.9, Add.15 and Add.15/Corr.1, Add.19
Zambia	5 January 1992	4 January 1994	29 November 2001	CRC/C/41/Add.25

Initial reports due in 1995

State party	Date of entry into force	Date due	Date of submission	Symbol
Algeria	16 May 1993	15 May 1995	16 November 1995	CRC/C/28/Add.4
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995	19 February 1997	CRC/C/28/Add.9
Cameroon	10 February 1993	9 February 1995	3 April 2000	CRC/C/28/Add.16
Comoros	22 July 1993	21 July 1995	24 March 1998	CRC/C/28/Add.13
Congo	13 November 1993	12 November 1995		
Fiji	12 September 1993	11 September 1995	12 June 1996	CRC/C/28/Add.7
Greece	10 June 1993	9 June 1995	14 April 2000	CRC/C/28/Add.17
India	11 January 1993	10 January 1995	19 March 1997	CRC/C/28/Add.10
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995	23 May 1996	CRC/C/28/Add.6
Marshall Islands	3 November 1993	2 November 1995	18 March 1998	CRC/C/28/Add.12
Micronesia (Federated States of)	4 June 1993	3 June 1995	16 April 1996	CRC/C/28/Add.5
Monaco	21 July 1993	20 July 1995	9 June 1999	CRC/C/28/Add.15
Morocco	21 July 1993	20 July 1995	27 July 1995	CRC/C/28/Add.1
New Zealand	6 May 1993	5 May 1995	29 September 1995	CRC/C/28/Add.3
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995	5 February 2001	CRC/C/28/Add.19
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995	5 December 2001	CRC/C/28/Add.18
Suriname	31 March 1993	31 March 1995	13 February 1998	CRC/C/28/Add.11
Syrian Arab Republic	14 August 1993	13 August 1995	22 September 1995	CRC/C/28/Add.2
Tajikistan	25 November 1993	24 November 1995	14 April 1998	CRC/C/28/Add.14
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995	27 January 1997	CRC/C/28/Add.8

Initial reports due in 1996

State party	Date of entry into force	Date due	Date of submission	Symbol
Afghanistan	27 April 1994	26 April 1996		
Gabon	11 March 1994	10 March 1996	21 June 2000	CRC/C/41/Add.10
Luxembourg	6 April 1994	5 April 1996	26 July 1996	CRC/C/41/Add.2
Japan	22 May 1994	21 May 1996	30 May 1996	CRC/C/41/Add.1
Mozambique	26 May 1994	25 May 1996	21 June 2000	CRC/C/41/Add.11
Georgia	2 July 1994	1 July 1996	7 April 1997	CRC/C/41/Add.4
Iraq	15 July 1994	14 July 1996	6 August 1996	CRC/C/41/Add.3
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	7 September 1994	6 September 1996	26 May 1999	CRC/C/41/Add.7
Uzbekistan	29 July 1994	28 July 1996	27 December 1999	CRC/C/41/Add.8
Iran (Islamic Republic of)	12 August 1994	11 August 1996	9 December 1997	CRC/C/41/Add.5
Nauru	26 August 1994	25 August 1996		
Eritrea	2 September 1994	1 September 1996	27 July 2001	CRC/C/41/Add.12
Kazakhstan	11 September 1994	10 September 1996	20 November 2001	CRC/C/41/Add.13
Kyrgyzstan	6 November 1994	5 November 1996	16 February 1998	CRC/C/41/Add.6
Samoa	29 December 1994	28 December 1996		

Initial reports due in 1997

Netherlands	7 March 1995	6 March 1997	15 May 1997	CRC/C/51/Add.1
Malaysia	19 March 1995	18 March 1997		
Botswana	13 April 1995	12 April 1997		
Qatar	3 May 1995	2 May 1997	29 October 1999	CRC/C/51/Add.5
Turkey	4 May 1995	3 May 1997		

Initial reports due in 1997 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Solomon Islands	10 May 1995	9 May 1997	28 February 2001	CRC/C/51/Add.6
Haiti	8 July 1995	7 July 1997	3 April 2001	CRC/C/51/Add.7
South Africa	16 July 1995	15 July 1997	4 December 1997	CRC/C/51/Add.2
Palau	3 September 1995	3 September 1997	21 October 1998	CRC/C/51/Add.3
Swaziland	6 October 1995	5 October 1997		
Tuvalu	22 October 1995	21 October 1997		
Singapore	4 November 1995	3 November 1997		
Tonga	6 December 1995	5 December 1997		
		Initial reports due in 1998		
Kiribati	10 January 1996	9 January 1998		
Niue	19 January 1996	18 January 1998		
Liechtenstein	21 January 1996	20 January 1998	22 September 1998	CRC/C/61/Add.1
Brunei Darussalam	26 January 1996	25 January 1998	20 December 2001	CRC/C/61/Add.4
Andorra	1 February 1996	31 January 1998	27 July 2000	CRC/C/61/Add.3
Saudi Arabia	25 February 1996	24 February 1998	21 October 1999	CRC/C/61/Add.2
		Initial reports due in 1999		
Oman	8 January 1997	7 January 1999	5 July 1999	CRC/C/78/Add.1
United Arab Emirates	2 February 1997	1 February 1999	15 April 2000	CRC/C/78/Add.2
Switzerland	26 March 1997	25 March 1999	19 January 2001	CRC/C/78/Add.3
Cook Islands	6 July 1997	5 July 1999		
		Initial reports due in 2000		
Netherlands (Netherlands Antilles)	17 February 1998	16 February 2000	22 January 2001	CRC/C/107/Add.1

Second periodic reports due in 1997

State party	Date due	Date of submission	Symbol
Bangladesh	1 September 1997	12 June 2001	CRC/C/65/Add.21
Barbados	7 November 1997		
Belarus	30 October 1997	20 May 1999	CRC/C/65/Add.14
Belize	1 September 1997		
Benin	1 September 1997		
Bhutan	1 September 1997		
Bolivia	1 September 1997	12 August 1997	CRC/C/65/Add.1
Brazil	23 October 1997		
Burkina Faso	29 September 1997	11 October 1999	CRC/C/65/Add.18
Burundi	17 November 1997		
Chad	31 October 1997		
Chile	11 September 1997	10 February 1999	CRC/C/65/Add.13
Costa Rica	20 September 1997	20 January 1998	CRC/C/65/Add.7
Democratic People's Republic of Korea	20 October 1997		
Democratic Republic of the Congo	26 October 1997		
Ecuador	1 September 1997		
Egypt	1 September 1997	18 September 1998	CRC/C/65/Add.9
El Salvador	1 September 1997		
France	5 September 1997		
Gambia	6 September 1997		

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Ghana	1 September 1997		
Grenada	4 December 1997		
Guatemala	1 September 1997	7 October 1998	CRC/C/65/Add.10
Guinea	1 September 1997		
Guinea-Bissau	18 September 1997		
Holy See	1 September 1997		
Honduras	8 September 1997	18 September 1997	CRC/C/65/Add.2
Indonesia	4 October 1997		
Kenya	1 September 1997		
Mali	19 October 1997		
Malta	29 October 1997		
Mauritius	1 September 1997		
Mexico	20 October 1997	14 January 1998	CRC/C/65/Add.6
Mongolia	1 September 1997		
Namibia	29 October 1997		
Nepal	13 October 1997		
Nicaragua	3 November 1997	12 November 1997	CRC/C/65/Add.4
Niger	29 October 1997		
Pakistan	11 December 1997	19 January 2001	CRC/C/65/Add.20
Paraguay	24 October 1997	12 October 1998	CRC/C/65/Add.12
Peru	3 October 1997	25 March 1998	CRC/C/65/Add.8
Philippines	19 September 1997		
Portugal	20 October 1997	8 October 1998	CRC/C/65/Add.11
Romania	27 October 1997	18 January 2000	CRC/C/65/Add.19
Russian Federation	14 September 1997	12 January 1998	CRC/C/65/Add.5

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Saint Kitts and Nevis	1 September 1997		
Senegal	1 September 1997		
Seychelles	6 October 1997		
Sierra Leone	1 September 1997		
Sudan	1 September 1997	7 July 1999	CRC/C/65/Add.15
Sweden	1 September 1997	25 September 1997	CRC/C/65/Add.3
Togo	1 September 1997		
Uganda	15 September 1997		
Uruguay	19 December 1997		
Venezuela	12 October 1997		
Viet Nam	1 September 1997	10 May 2000	CRC/C/65/Add.20
Zimbabwe	10 October 1997		

Second periodic reports due in 1998

Angola	3 January 1998		
Argentina	2 January 1998	12 August 1999	CRC/C/70/Add.16
Australia	15 January 1998		
Bahamas	21 March 1998		
Bulgaria	2 July 1998		
Colombia	26 February 1998	9 September 1998	CRC/C/70/Add.5
Côte d'Ivoire	5 March 1998		
Croatia	7 October 1998		
Cuba	19 September 1998		
Cyprus	8 March 1998	15 September 2000	CRC/C/70/Add.16

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Denmark	17 August 1998	15 September 1998	CRC/C/70/Add.6
Djibouti	4 January 1998		
Dominica	11 April 1998		
Dominican Republic	10 July 1998		
Estonia	19 November 1998		
Ethiopia	12 June 1998	28 September 1998	CRC/C/70/Add.7
Finland	19 July 1998	3 August 1998	CRC/C/70/Add.3
Guyana	12 February 1998		
Hungary	5 November 1998		
Israel	1 November 1998		
Italy	4 October 1998	21 March 2000	CRC/C/70/Add.13
Jamaica	12 June 1998	16 May 2000	CRC/C/70/Add.15
Jordan	22 June 1998	5 August 1998	CRC/C/70/Add.4
Kuwait	19 November 1998		
Lao People's Democratic Republic	6 June 1998		
Lebanon	12 June 1998	4 December 1998	CRC/C/70/Add.8
Madagascar	17 April 1998	12 February 2001	CRC/C/70/Add.18
Malawi	31 January 1998		
Maldives	12 March 1998		
Mauritania	14 June 1998		
Myanmar	13 August 1998		
Nigeria	18 May 1998		
Norway	6 February 1998	1 July 1998	CRC/C/70/Add.2
Panama	10 January 1998		
Poland	6 July 1998	2 December 1999	CRC/C/70/Add.12

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Republic of Korea	19 December 1998	1 May 2000	CRC/C/70/Add.14
Rwanda	22 February 1998		
San Marino	24 December 1998		
Sao Tome and Principe	12 June 1998		
Slovenia	24 June 1998	18 September 2001	CRC/C/70/Add.19
Spain	4 January 1998	1 June 1999	CRC/C/70/Add.9
Sri Lanka	10 August 1998	21 September 2000	CRC/C/70/Add.17
The former Yugoslav Republic of Macedonia	16 September 1998		
Ukraine	26 September 1998	12 August 1999	CRC/C/70/Add.11
United Republic of Tanzania	9 July 1998		
Yemen	30 May 1998	3 February 1998	CRC/C/70/Add.1
Yugoslavia	1 February 1998		

Second periodic reports due in 1999

Albania	27 March 1999		
Austria	4 September 1999		
Azerbaijan	11 September 1999		
Bahrain	14 March 1999		
Belgium	15 January 1999	7 May 1999	CRC/C/83/Add.2

Second periodic reports due in 1999 (continued)

State party	Date due	Date of submission	Symbol
Bosnia and Herzegovina	5 March 1999		
Cambodia	15 November 1999		
Canada	11 January 1999	3 May 2001	CRC/C/83/Add.6
Cape Verde	3 July 1999		
Central African Republic	23 May 1999		
China	31 March 1999		
Czech Republic	31 December 1999	3 March 2000	CRC/C/83/Add.4
Equatorial Guinea	14 July 1999		
Germany	4 May 1999	23 July 1999	CRC/C/83/Add.7
Iceland	26 November 1999	27 April 2000	CRC/C/83/Add.5
Ireland	27 October 1999		
Latvia	13 May 1999		
Lesotho	8 April 1999		
Lithuania	28 February 1999		
Slovakia	31 December 1999		
Thailand	25 April 1999		
Trinidad and Tobago	3 January 1999		
Tunisia	28 February 1999	16 March 1999	CRC/C/83/Add.1
United Kingdom of Great Britain and Northern Ireland	14 January 1999	14 September 1999	CRC/C/83/Add.3
Zambia	4 January 1999		

Second periodic reports due in 2000

Algeria	15 May 2000
Antigua and Barbuda	3 November 2000
Armenia	5 August 2000
Cameroon	9 February 2000
Comoros	21 July 2000

Second periodic reports due in 2000 (continued)

State party	Date due	Date of submission	Symbol
Congo	12 November 2000		
Federated States of Micronesia	3 June 2000		
Fiji	11 September 2000		
Greece	9 June 2000		
Liberia	3 July 2000		
India	10 January 2000	10 December 2001	CRC/C/93/Add.5
Libyan Arab Jamahiriya	14 May 2000	8 August 2000	CRC/C/93/Add.1
Marshall Islands	2 November 2000		
Monaco	20 July 2000		
Morocco	20 July 2000	13 October 2000	CRC/C/93/Add.3
New Zealand	5 May 2000	19 February 2001	CRC/C/93/Add.4
Papua New Guinea	31 March 2000		
Republic of Moldova	24 February 2000		
Saint Lucia	15 July 2000		
Saint Vincent and the Grenadines	24 November 2000		
Suriname	31 March 2000		
Syrian Arab Republic	13 August 2000	15 August 2000	CRC/C/93/Add.2
Tajikistan	24 November 2000		
Turkmenistan	19 October 2000		
Vanuatu	5 August 2000		

Second periodic reports due in 2001

Gabon	10 March 2001		
Luxembourg	5 April 2001		
Afghanistan	26 April 2001		
Japan	21 May 2001	15 November 2001	CRC/C/104/Add.2
Mozambique	25 May 2001		

Second periodic reports due in 2001 (continued)

State party	Date due	Date of submission	Symbol
Georgia	1 July 2001	29 June 2001	CRC/C/104/Add.1
Iraq	14 July 2001		
Uzbekistan	28 July 2001		
Iran (Islamic Republic of)	11 August 2001		
Nauru	25 August 2001		
Eritrea	1 September 2001		
Kazakhstan	10 September 2001		
Kyrgyzstan	5 November 2001		
Samoa	28 December 2001		

Annex VI

LIST OF INITIAL AND SECOND PERIODIC REPORTS CONSIDERED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD AS AT 1 FEBRUARY 2002

	State party reports	Observations adopted by the Committee
Third session (January 1993)		
Bolivia	CRC/C/3/Add.2	CRC/C/15/Add.1
Sweden	CRC/C/3/Add.1	CRC/C/15/Add.2
Viet Nam	CRC/C/3/Add.4 and 21	CRC/C/15/Add.3
Russian Federation	CRC/C/3/Add.5	CRC/C/15/Add.4
Egypt	CRC/C/3/Add.6	CRC/C/15/Add.5
Sudan	CRC/C/3/Add.3	CRC/C/15/Add.6 (preliminary)
Fourth Session (September-October 1993)		
Indonesia	CRC/C/3/Add.10	CRC/C/15/Add.7 (preliminary)
Peru	CRC/C/3/Add.7	CRC/C/15/Add.8
El Salvador	CRC/C/3/Add.9 and 28	CRC/C/15/Add.9
Sudan	CRC/C/3/Add.3 and 20	CRC/C/15/Add.10
Costa Rica	CRC/C/3/Add.8	CRC/C/15/Add.11
Rwanda	CRC/C/8/Add.1	CRC/C/15/Add.12 (preliminary)
Fifth session (January 1994)		
Mexico	CRC/C/3/Add.11	CRC/C/15/Add.13
Namibia	CRC/C/3/Add.12	CRC/C/15/Add.14
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.15 (preliminary)
Romania	CRC/C/3/Add.16	CRC/C/15/Add.16
Belarus	CRC/C/3/Add.14	CRC/C/15/Add.17

	State party reports	Observations adopted by the Committee
Sixth session (April 1994)		
Pakistan	CRC/C/3/Add.13	CRC/C/15/Add.18
Burkina Faso	CRC/C/3/Add.19	CRC/C/15/Add.19
France	CRC/C/3/Add.15	CRC/C/15/Add.20
Jordan	CRC/C/8/Add.4	CRC/C/15/Add.21
Chile	CRC/C/3/Add.18	CRC/C/15/Add.22
Norway	CRC/C/8/Add.7	CRC/C/15/Add.23
Seventh session (September-October 1994)		
Honduras	CRC/C/3/Add.17	CRC/C/15/Add.24
Indonesia	CRC/C/3/Add.10 and 26	CRC/C/15/Add.25
Madagascar	CRC/C/8/Add.5	CRC/C/15/Add.26
Paraguay	CRC/C/3/Add.22	CRC/C/15/Add.27 (preliminary)
Spain	CRC/C/8/Add.6	CRC/C/15/Add.28
Argentina	CRC/C/8/Add.2 and 17	CRC/C/15/Add.35 (adopted at the eighth session)
Eighth session (January 1995)		
Philippines	CRC/C/3/Add.23	CRC/C/15/Add.29
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.30
Poland	CRC/C/8/Add.11	CRC/C/15/Add.31
Jamaica	CRC/C/8/Add.12	CRC/C/15/Add.32
Denmark	CRC/C/8/Add.8	CRC/C/15/Add.33
United Kingdom of Great Britain and Northern Ireland	CRC/C/11/Add.1	CRC/C/15/Add.34
Ninth session (May-June 1995)		
Nicaragua	CRC/C/3/Add.25	CRC/C/15/Add.36
Canada	CRC/C/11/Add.3	CRC/C/15/Add.37
Belgium	CRC/C/11/Add.4	CRC/C/15/Add.38
Tunisia	CRC/C/11/Add.2	CRC/C/15/Add.39
Sri Lanka	CRC/C/8/Add.13	CRC/C/15/Add.40

	State party reports	Observations adopted by the Committee
Tenth session (October-November 1995)		
Italy	CRC/C/8/Add.18	CRC/C/15/Add.41
Ukraine	CRC/C/8/Add.10/Rev.1	CRC/C/15/Add.42
Germany	CRC/C/11/Add.5	CRC/C/15/Add.43
Senegal	CRC/C/3/Add.31	CRC/C/15/Add.45
Portugal	CRC/C/3/Add.30	CRC/C/15/Add.46
Holy See	CRC/C/3/Add.27	CRC/C/15/Add.47
Eleventh session (January 1996)		
Yemen	CRC/C/8/Add.20	CRC/C/15/Add.47
Mongolia	CRC/C/3/Add.32	CRC/C/15/Add.48
Yugoslavia	CRC/C/8/Add.26	CRC/C/15/Add.49
Iceland	CRC/C/11/Add.6	CRC/C/15/Add.50
Republic of Korea	CRC/C/8/Add.21	CRC/C/15/Add.51
Croatia	CRC/C/8/Add.19	CRC/C/15/Add.52
Finland	CRC/C/8/Add.22	CRC/C/15/Add.53
Twelfth session (May-June 1996)		
Lebanon	CRC/C/18/Add.23	CRC/C/15/Add.54
Zimbabwe	CRC/C/3/Add.35	CRC/C/15/Add.55
China	CRC/C/11/Add.7	CRC/C/15/Add.56
Nepal	CRC/C/3/Add.34	CRC/C/15/Add.57
Guatemala	CRC/C/3/Add.33	CRC/C/15/Add.58
Cyprus	CRC/C/8/Add.24	CRC/C/15/Add.59
Thirteenth session (September-October 1996)		
Morocco	CRC/C/28/Add.1	CRC/C/15/Add.60
Nigeria	CRC/C/8/Add.26	CRC/C/15/Add.61
Uruguay	CRC/C/3/Add.37	CRC/C/15/Add.62
United Kingdom (Hong Kong)	CRC/C/11/Add.9	CRC/C/15/Add.63
Mauritius	CRC/C/3/Add.36	CRC/C/15/Add.64
Slovenia	CRC/C/8/Add.25	CRC/C/15/Add.65

	State party reports	Observations adopted by the Committee
Fourteenth session (January 1997)		
Ethiopia	CRC/C/8/Add.27	CRC/C/15/Add.66
Myanmar	CRC/C/8/Add.9	CRC/C/15/Add.67
Panama	CRC/C/8/Add.28	CRC/C/15/Add.68
Syrian Arab Republic	CRC/C/28/Add.2	CRC/C/15/Add.69
New Zealand	CRC/C/28/Add.3	CRC/C/15/Add.70
Bulgaria	CRC/C/8/Add.29	CRC/C/15/Add.71
Fifteenth session (May-June 1997)		
Cuba	CRC/C/8/Add.30	CRC/C/15/Add.72
Ghana	CRC/C/3/Add.39	CRC/C/15/Add.73
Bangladesh	CRC/C/3/Add.38 and 49	CRC/C/15/Add.74
Paraguay	CRC/C/3/Add.22 and 47	CRC/C/15/Add.75
Algeria	CRC/C/28/Add.4	CRC/C/15/Add.76
Azerbaijan	CRC/C/11/Add.8	CRC/C/15/Add.77
Sixteenth session (September-October 1997)		
Lao People's Democratic Republic	CRC/C/8/Add.32	CRC/C/15/Add.78
Australia	CRC/C/8/Add.31	CRC/C/15/Add.79
Uganda	CRC/C/3/Add.40	CRC/C/15/Add.80
Czech Republic	CRC/C/11/Add.11	CRC/C/15/Add.81
Trinidad and Tobago	CRC/C/11/Add.10	CRC/C/15/Add.82
Togo	CRC/C/3/Add.42	CRC/C/15/Add.83
Seventeenth session (January 1998)		
Libyan Arab Jamahiriya	CRC/C/28/Add.6	CRC/C/15/Add.84
Ireland	CRC/C/11/Add.12	CRC/C/15/Add.85
Micronesia (Federated States of)	CRC/C/28/Add.5	CRC/C/15/Add.86

	State party reports	Observations adopted by the Committee
Eighteenth session (May-June 1998)		
Hungary	CRC/C/8/Add.34	CRC/C/15/Add.87
Democratic People's Republic of Korea	CRC/C/3/Add.41	CRC/C/15/Add.88
Fiji	CRC/C/28/Add.7	CRC/C/15/Add.89
Japan	CRC/C/41/Add.1	CRC/C/15/Add.90
Maldives	CRC/C/8/Add.33 and 37	CRC/C/15/Add.91
Luxembourg	CRC/C/41/Add.2	CRC/C/15/Add.92
Nineteenth session (September-October 1998)		
	Initial reports	
Ecuador	CRC/C/3/Add.44	CRC/C/15/Add.93
Iraq	CRC/C/41/Add.3	CRC/C/15/Add.94
Thailand	CRC/C/11/Add.13	CRC/C/15/Add.96
Kuwait	CRC/C/8/Add.35	CRC/C/15/Add.97
	Second periodic reports	
Bolivia	CRC/C/65/Add.1	CRC/C/15/Add.95
Twentieth session (January 1999)		
	Initial reports	
Austria	CRC/C/11/Add.14	CRC/C/15/Add.98
Belize	CRC/C/3/Add.46	CRC/C/15/Add.99
Guinea	CRC/C/3/Add.48	CRC/C/15/Add.100
	Second periodic reports	
Sweden	CRC/C/65/Add.3	CRC/C/15/Add.101
Yemen	CRC.C.70/Add.1	CRC/C/15/Add.102

	State party reports	Observations adopted by the Committee
Twenty-first session (17 May-4 June 1999)		
	Initial reports	
Barbados	CRC/C/3/Add.45	CRC/C/15/Add.103
St. Kitts and Nevis	CRC/C/3/Add.51	CRC/C/15/Add.104
Benin	CRC/C/3/Add.52	CRC/C/15/Add.106
Chad	CRC/C/3/Add.50	CRC/C/15/Add.107
	Second periodic reports	
Honduras	CRC/C/65/Add.2	CRC/C/15/Add.105
Nicaragua	CRC/C/65/Add.4	CRC/C/15/Add.108
Twenty-second session (20 September- 8 October 1999)		
	Initial reports	
Venezuela	CRC/C/3/Add.54 and 59	CRC/C/15/Add.109
Vanuatu	CRC/C/28/Add.8	CRC/C/15/Add.111
Mali	CRC/C/3/Add.53	CRC/C/15/Add.113
Netherlands	CRC/C/51/Add.1	CRC/C/15/Add.114
	Second periodic reports	
Russian Federation	CRC/C/65/Add.5	CRC/C/15/Add.10
Mexico	CRC/C/65/Add.6	CRC/C/15/Add.112
Twenty-third session (10-28 January 2000)		
	Initial reports	
India	CRC/C/28/Add.10	CRC/C/15/Add.115
Sierra Leone	CRC/C/3/Add.43	CRC/C/15/Add.116
The former Yugoslav Republic of Macedonia	CRC/C/8/Add.36	CRC/C/15/Add.118
South Africa	CRC/C/51/Add.2	CRC/C/15/Add.122
Armenia	CRC/C/28/Add.9	CRC/C/15/Add.119
Grenada	CRC/C/3/Add.55	CRC/C/15/Add.121

	State party reports	Observations adopted by the Committee
	Second periodic reports	
Peru	CRC/C/65/Add.8	CRC/C/15/Add.120
Costa Rica	CRC/C/65/Add.7	CRC/C/15/Add.117
Twenty-fourth session (15 May-2 June 2000)		
	Initial reports	
Iran (Islamic Republic of)	CRC/C/41/Add.5	CRC/C/15/Add.123
Georgia	CRC/C/41/Add.4/Rev.1	CRC.C/15/Add.124
Kyrgyzstan	CRC/C/41/Add.6	CRC.C/15/Add.127
Cambodia	CRC/C/11/Add.16	CRC.C/15/Add.128
Malta	CRC/C/3/Add.56	CRC.C/15/Add.129
Suriname	CRC/C/28/Add.11	CRC.C/15/Add.130
Djibouti	CRC/C/8/Add.39	CRC.C/15/Add.131
	Second periodic reports	
Jordan	CRC/C/70/Add.4	CRC/C/15/Add.125
Norway	CRC/C/70/Add.2	CRC/C/15/Add.126
Twenty-fifth session (18 September-6 October 2000)		
	Initial reports	
Burundi	CRC/C/3/Add.58	CRC/C/15/Add.133
United Kingdom of Great Britain and Northern Ireland (Isle of Man)	CRC/C/11/Add.19 and Corr.1	CRC/C/15/Add.134
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	CRC/C/41/Add.7 and 9	CRC/C/15/Add.135
Tajikistan	CRC/C/28/Add.14	CRC/C/15/Add.136
Central African Republic	CRC/C/11/Add.18	CRC/C/15/Add.138
Marshall Islands	CRC/C/32/Add.12	CRC/C/15/Add.139
Slovakia	CRC/C/11/Add.17	CRC/C/15/Add.140
Comoros	CRC/C/28/Add.13	CRC/C/15/Add.141

	State party reports	Observations adopted by the Committee
	Second periodic reports	
Finland	CRC/C/70/Add.3	CRC/C/15/Add.132
Colombia	CRC/C/70/Add.5	CRC/C/15/Add.137
Twenty-sixth session (8-26 January 2001)		
	Initial reports	
Latvia	CRC.C/11/Add.22	CRC/C/15/Add.142
Liechtenstein	CRC.C/61/Add.1	CRC/C/15/Add.143
Lithuania	CRC.C/11/Add.21	CRC/C/15/Add.146
Lesotho	CRC.C/11/Add.20	CRC/C/15/Add.147
Saudi Arabia	CRC.C/61/Add.2	CRC/C/15/Add.148
Palau	CRC.C/51/Add.3	CRC/C/15/Add.149
Dominican Republic	CRC.C/8/Add.40 and 44	CRC/C/15/Add.150
	Second periodic reports	
Ethiopia	CRC/C/70/Add.7	CRC/C/15/Add.144
Egypt	CRC/C/65/Add.9	CRC/C/15/Add.145
Twenty-seventh session (21 May-8 June 2001)		
	Initial reports	
Turkey	CRC/C/51/Add.4	CRC/C/15/Add.152
Democratic Republic of the Congo	CRC/C/3/Add.57	CRC/C/15/Add.153
Côte d'Ivoire	CRC/C/8/Add.41	CRC/C/15/Add.155
United Republic of Tanzania	CRC/C/8/Add.14/Rev.1	CRC/C/15/Add.156
Bhutan	CRC/C/3/Add.60	CRC/C/15/Add.157
Monaco	CRC/C/28/Add.15	CRC/C/15/Add.158
	Second periodic reports	
Denmark	CRC/C/70/Add.6	CRC/C/15/Add.151
Guatemala	CRC/C/65/Add.10	CRC/C/15/Add.154

	State party reports	Observations adopted by the Committee
Twenty-eighth session (24 September-12 October 2001)		
	Initial reports	
Mauritania	CRC/C/8/Add.42	CRC/C/15/Add.159
Kenya	CRC/C/3/Add.62	CRC/C/15/Add.160
Oman	CRC/C/78/Add.1	CRC/C/15/Add.161
Qatar	CRC/C/51/Add.5	CRC/C/15/Add.163
Cameroon	CRC/C/28/Add.16	CRC/C/15/Add.164
Gambia	CRC/C/3/Add.61	CRC/C/15/Add.165
Uzbekistan	CRC/C/41/Add.8	CRC/C/15/Add.167
Cape Verde	CRC/C/11/Add.23	CRC/C/15/Add.168
	Second periodic reports	
Portugal	CRC/C/65/Add.11	CRC/C/15/Add.162
Paraguay	CRC/C/65/Add.12	CRC/C/15/Add.166
Twenty-ninth session (14 January-1 February 2002)		
	Initial reports	
Greece	CRC/C/28/Add.17	CRC/C/15/Add.170
Gabon	CRC/C/41/Add.10	CRC/C/15/Add.171
Mozambique	CRC/C/41/Add.11	CRC/C/15/Add.172
Andorra	CRC/C/61/Add.3	CRC/C/15/Add.176
Malawi	CRC/C/8/Add.43	CRC/C/15/Add.174
Bahrain	CRC/C/11/Add.24	CRC/C/15/Add.175
	Second periodic reports	
Lebanon	CRC/C/70/Add.8	CRC/C/15/Add.169
Chile	CRC/C/65/Add.13	CRC/C/15/Add.173

Annex VII

PROVISIONAL LIST OF REPORTS SCHEDULED FOR CONSIDERATION AT THE COMMITTEE'S THIRTIETH AND THIRTY-FIRST SESSIONS

Thirtieth session
(20 May-7 June 2002)

Initial reports

Guinea-Bissau	CRC/C/3/Add.63
St. Vincent and the Grenadines	CRC/C/28/Add.18
Niger	CRC/C/3/Add.29/Rev.1
Netherlands Antilles	CRC/C/107/Add.1
United Arab Emirates	CRC/C/78/Add.2
Switzerland	CRC/C/78/Add.3

Second periodic reports

Tunisia	CRC/C/83/Add.1
Belgium	CRC/C/83/Add.2
Belarus	CRC/C/65/Add.15
Spain	CRC/C/70/Add.9

Thirty-first session
(16 September-4 October 2002)

Initial reports

Republic of Moldova	CRC/C/28/Add.19
Israel	CRC/C/8/Add.44
Seychelles	CRC/C/3/Add.64

Second periodic reports

United Kingdom of Great Britain and Northern Ireland	CRC/C/83/Add.3
Poland	CRC/C/70/Add.12
Ukraine	CRC/C/70/Add.11
Sudan	CRC/C/65/Add.17
Argentina	CRC/C/70/Add.10
Burkina Faso	CRC/C/65/Add.18

Annex VIII

OUTLINE FOR THE DAY OF GENERAL DISCUSSION ON "THE PRIVATE SECTOR AS SERVICE PROVIDER AND ITS ROLE IN IMPLEMENTING CHILD RIGHTS"

Committee on the Rights of the Child
Day of general discussion
Friday, 20 September 2002 - Palais Wilson, Geneva

OUTLINE

THE PRIVATE SECTOR AS SERVICE PROVIDER AND ITS ROLE IN IMPLEMENTING CHILD RIGHTS

In accordance with rule 75 of its provisional rules of procedures, the Committee on the Rights of the Child has decided to devote periodically one day of general discussion to a specific article of the Convention or to a child rights theme.

"The private sector as service provider and its role in implementing child rights" is the theme for the next general discussion of the Committee on the Rights of the Child. The discussion will take place on 20 September 2002 during the thirty-first session of the Committee at the United Nations Office at Geneva.

The purpose of the general discussions is to foster a deeper understanding of the content and implications of the Convention as they relate to specific topics. The discussions are public. Government representatives, United Nations human rights mechanisms, as well as United Nations bodies and specialized agencies, non-governmental organizations and individual experts are invited to take part.

The context: human rights treaty bodies and private actors

The preamble to the Universal Declaration of Human Rights provides some useful guidance, affirming that "every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for the rights and freedoms ...". Human rights treaty bodies have specifically made reference, particularly in general comments, to the responsibilities of business in the implementation of specific rights in their respective treaties.

For instance, general comment No. 12 of the Committee on Economic, Social and Cultural Rights (CESCR) on the right to adequate food notes that "While only States are parties to the Covenant and are thus ultimately accountable for compliance with it, all members of society - individuals, families, local communities, non-governmental organizations, civil society organizations, as well as the private business sector - have responsibilities in the realization of the right to adequate food. The State should provide an environment that facilitates

implementation of these responsibilities. The private business sector - national and transnational - should pursue its activities within the framework of a code of conduct conducive to respect of the right to adequate food, agreed upon jointly with the Government and civil society."

CESCR general comment No. 14 on the right to the highest attainable standard of health (art. 12), in paragraphs 35, 36, 39, 42, 51, 55 and 56, makes specific reference to the responsibilities of the private sector, noting in particular in paragraph 42 that "while only States are parties to the Covenant and thus ultimately accountable for compliance with it, all members of society - individuals, including health professionals, families, local communities, intergovernmental and non-governmental organizations, civil society organizations, as well as the private business sector - have responsibilities regarding the realization of the right to health".

Other references to the responsibilities of the private sector appear in CESCR general comment No. 13 on the right to education (art. 13), paragraph 30; Committee on the Elimination of Discrimination against Women (CEDAW) General Recommendation No. 19 on violence against women, paragraph 9; and CEDAW General Recommendation No. 24 on article 12 - women and health, paragraph 15. Furthermore, the Convention on the Elimination of All Forms of Discrimination against Women spells out in article 2 (e) the obligation of States parties "to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise". A similar obligation is included in the International Convention on the Elimination of All Forms of Racial Discrimination which, in article 2 (d), obliges States parties to "prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization".

The Convention on the Rights of the Child

The Convention on the Rights of the Child enshrines the general principle that "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration" (art. 3, para. 1) and that "States Parties shall ensure that institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision" (art. 3, para. 3). It thereby establishes the obligation of the State party to set standards in conformity with the Convention and ensure compliance by appropriate monitoring of institutions, services and facilities, including of a private nature. Along the same lines, the general principle of non-discrimination as enshrined in article 2, as well as the right to life and to maximum survival and development (art. 6), assume particular importance in the context of the current debate, with the State party equally being obliged to create standards consistent and in conformity with the Convention. Such obligations of the State party are also applicable in the context of article 4.

Furthermore, privatization measures may have a particular impact on the right to health (art. 24) and the right to education (arts. 28 and 29), and the States parties have the obligation to ensure that privatization does not threaten accessibility to services on the basis of criteria prohibited under the principle of non-discrimination. With regard to the right to education, the CESCR general comment No. 13 warns of possible consequences of private activity in this

sector, noting that "the State has an obligation to ensure that the liberty set out in article 13 (4) [the liberty of individuals and bodies to establish and direct educational institutions] does not lead to extreme disparities of educational opportunity for some groups in society". Furthermore, article 25 of the Convention on the Rights of the Child specifically calls for periodic review of the treatment and the circumstances of children who have been placed by the authorities for the purpose of care, protection or treatment of their health, including in private facilities, thus establishing obligations for the State party for the setting of standards and monitoring vis-à-vis the private sector.

Finally, it may be interesting to explore the implications of the privatization of detention centres on the rights of the child in the light of articles 37 and 40 of the Convention.

Aims of the discussion

The focus of the day of discussion will be on the impact of increasing participation of private sector actors in the provision and funding of State-like functions on the implementation of the Convention on the Rights of the Child. While the Committee is entirely conscious that the business sector can impact children's rights in a wide variety of ways, it has chosen to focus on exploring the various issues emerging from privatization and the assumption by non-governmental organizations or businesses of traditional State functions, i.e. in the health and the education sectors, in the provision of institutional care, legal assistance, treatment of victims, etc., given the high degree of relevance of this trend to the work of the Committee.

Despite numerous references to the responsibilities of the States parties to international human rights treaties vis-à-vis private sector activities, a significant element frequently impeding the implementation of rights guaranteed in the Convention is States parties' lack of capacity or unwillingness to adopt measures to ensure that actors in the private sector respect the provisions of the Convention. The Committee on the Rights of the Child and its wide range of partners clearly have a role to play in facilitating the development of guidelines, both for private actors and Governments, for the implementation of the Convention by private actors involved in the provision of services which have traditionally been provided by States parties and fall within the realm of their obligations under the Convention. The main objectives of the day of general discussion will therefore be as follows.

(a) Scope of action of private actors: to explore different types of public-private partnerships in services of particular relevance to the implementation of the Convention and assess the direct and indirect, and positive and negative impacts on the full realization of the rights of the child; discussions will include, but are not limited to, accessibility and affordability, quality, sustainability and reliability, safety, privacy, etc.;

(b) Legal obligations:

(i) To specify the obligations of States parties in the context of privatization and/or private sector funding in terms of positive obligations, ensuring non-discrimination of access, equitable and affordable access, especially for marginalized groups, as well as assuring quality and sustainability of service provision. Obligations with respect to regulation and monitoring

of the activities of the private sector, including the observance of a rights-based approach to their service provision, will be specified. Finally, the availability of remedies for rights holders, i.e. children, will be identified;

(ii) To identify and strengthen awareness of the responsibilities and obligations of private service providers, both for profit as well as not for profit, under the Convention on the Rights of the Child;

(c) Governance: to assess the implications of private sector involvement in service provision on governance issues, in particular on participation, accountability, transparency and independence. One key issue is how the increasing role of civil society in providing these services can enhance participation in governance. A second concern is how to maintain and improve accountability and transparency when services are partially or entirely funded by non-State actors. The question of whether private entities involved in service provision, either directly or indirectly, are, or can be made, accountable through the political process, could be addressed;

(d) Models and guidelines: to identify possible models of implementation for States parties with regard to private actors and develop guidelines which would include standard-setting for private service providers as well as monitoring and regulation by States parties and accountability of organizations in the private sector.

Participation in the day of general discussion

United Nations programmes and agencies are always invited to participate in the days of general discussion organized by the Committee on the Rights of the Child. Governments are also invited to attend and encouraged to participate actively. In light of the theme for the forthcoming day of general discussion, representatives of the private sector as well as international financial institutions are particularly encouraged to participate. The meeting will be open to the public, with information on participation distributed to United Nations programmes and agencies, NGOs and other interested individuals and organizations.

The meeting will be held during the thirty-first session of the Committee, at the Office of the High Commissioner for Human Rights (Palais Wilson, Geneva), on Friday, 20 September 2002.

The Committee on the Rights of the Child invites written contributions on the issues and topics mentioned, within the framework outlined above. Contributions should be sent before 28 June 2002 (if possible in electronic version) to:

Secretariat, Committee on the Rights of the Child
Office of the High Commissioner for Human Rights, UNOG-OHCHR
CH-1211 Geneva 10
Switzerland
e-mail: klucke.hchr@unog.ch or khemmerich.hchr@unog.ch or bmajekodunmi.hchr@unog.ch or pdavid.hchr@unog.ch

Annex IX

INTERNATIONAL CONSULTATIVE CONFERENCE ON SCHOOL EDUCATION IN RELATION WITH FREEDOM OF RELIGION AND BELIEF, TOLERANCE AND NON-DISCRIMINATION

(Madrid 23-25 November 2001)

Statement by the Vice-Chairperson of the Committee on the Rights of the Child

This Conference deals with a theme that provides a powerful illustration of the difficulties we still face in promoting and protecting the rights recognized by the Universal Declaration of Human Rights more than 50 years ago. In spite of the development of an impressive set of international human rights standards, there still unfortunately remains a wide gap between existing norms and the day-to-day reality. The effective promotion and protection of human rights cannot be achieved only with the adoption of a well-developed set of rules. In particular, intolerance and discrimination based on religion and belief continue to manifest themselves all over the world.

Discrimination is learned, observed, experienced, suffered and acquired throughout life. Therefore, education can play an essential role not only in combating discrimination, but also in preventing it. Education is a process that takes place within the family and the community as well as in schools. If education deliberately aims to prevent and combat racism and intolerance instead of condoning them or contributing to their development, it will make the greatest possible contribution to improving respect for human rights.

The recently concluded World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, clearly recognized the link between the right to education and the struggle against discrimination and intolerance. At Durban, participants acknowledged the essential role of education in the prevention and eradication of all forms of intolerance and discrimination. The rights to have access to human rights education and to an education which is sensitive to and respects cultural diversity, especially among children and young people, are both human rights in themselves and key strategies to help promote respect for differences, non-discrimination, and freedom of religion and belief.

The United Nations human rights body that I represent at this Conference, the Committee on the Rights of the Child, is mandated to examine the progress made by States in achieving the realization of the obligations they have undertaken under an international human rights treaty that is particularly relevant to this discussion. The Convention on the Rights of the Child, with its quasi-universal status (191 States parties as of today) and the progressive awareness it has created about children as full-fledged subjects of rights, represents an extremely powerful tool for spreading a child-rights culture. Respect for child rights is in turn conducive to social change and to increased respect for and promotion of human rights and fundamental freedoms in general. The new vision of childhood conveyed by the Convention is gradually changing our perception of children from vulnerable beings in need of specific protection measures to persons entitled to enjoy the full range of human rights.

By ratifying the Convention on the Rights of the Child, and in accordance with the provisions of article 2, the quasi-totality of States have agreed to ensure that every child is protected against all forms of discrimination. They have also accepted the obligation to respect and ensure all human rights for each child, irrespective of the child's or his or her parent's race, colour, language, religion, national, ethnic or social origin, or other status. States parties have agreed to ensure such rights without discrimination to "each child within their jurisdiction". Thus, the right to protection against discrimination, including discrimination based on religious belief, applies to every child, regardless of nationality or status as a migrant, asylum-seeker or refugee. Indeed, it applies to all children under 18 years of age irrespective of the legality or illegality of their presence in the territory of any State party to the Convention.

Article 2 is considered one of the four "general principles" that should guide the interpretation of all other rights enshrined in the Convention. The other general principles are also relevant to this Conference. Under article 3, States parties commit themselves to having the best interests of the child as a primary consideration in all actions concerning them. Article 6 obliges States parties to ensure to the maximum extent possible the survival and development of the child, and in this context development is seen to include physical, mental, spiritual, moral, psychological and social development. Under article 12, children are assured of the right to express freely their own views in all matters affecting them, a right which should be respected in the taking of decisions within the family, the school and larger community environments.

The human rights that the international community has recognized for children cover a very broad range of issues. Among children's fundamental civil rights is the right to freedom of thought, conscience and religion, as spelled out in article 14 of the Convention. In the exercise of this right, parents can, according to the provisions of this article, provide direction to the child in a manner consistent with her or his evolving capacities. Additionally, article 30 of the Convention upholds the right of a child who belongs to a religious minority to profess and practise his or her religion. The Convention also calls for States to pay due regard to the child's religious background in cases where arrangements for alternative care have to be envisaged (art. 20).

The Convention covers, in its article 28, the right of every child to education. To achieve that right States parties shall, in particular, make primary education compulsory and available free to all. Secondary education, both general and vocational, should be developed and made available and accessible to every child, and higher education should be accessible to all on the basis of capacity. The Committee on the Rights of the Child pays a lot of attention in its dialogue with States parties to measures taken in this respect. The Committee stresses the need for full enrolment of girls as well of boys, for measures to ensure access to education by children belonging to minorities or socially disadvantaged groups, and for action to reduce school drop out rates.

However, the child's right to education is not only a matter of access, but also of content. Article 29, paragraph 1, of the Convention is the subject of the first general comment adopted by the Committee. That general comment provides guidance to States parties on the implementation of the right of children to a quality education and provides a clear illustration of the importance attached by the Committee to the role and content of education. The Committee made the general comment its main contribution to the preparatory process for

the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance precisely because it believes firmly that education that promotes respect for human rights, and that is itself respectful of human rights values and norms, plays a crucial role in the effort to reduce and eventually eliminate intolerance and discrimination.

Article 29, paragraph 1, adds to the right to education recognized in article 28 a qualitative dimension that reflects the rights and inherent dignity of the child. It sets out the goals of education, which should aim at the realization of the full potential of the child, including development of respect for human rights. Education should also aim to develop an enhanced sense of identity and affiliation as well as the child's socialization and interaction with others and with the environment. Article 29, paragraph 1, asserts that the States parties agree that education should be directed to the development of respect for a wide range of values. This agreement, evidenced by the Convention's ratification by almost every State from every region, underlines the potential of human rights values and norms to overcome the boundaries of religion, nation and culture that may seem to divide many parts of the world. Article 29 recognizes the need for a balanced approach to education, an approach that seeks to reconcile diverse values through dialogue and respect for difference.

The second paragraph of article 29 deals with the freedom of individuals and bodies to establish educational institutions, subject only to the need for such institutions to observe the aims of education set forth in the first paragraph and to conform to any minimum standards that may be laid down by a State party.

There is thus a clear and direct link between the provisions of article 29 of the Convention and the struggle against discrimination and intolerance. Article 29, paragraph 1, calls for an education designed to promote respect for human rights and fundamental freedoms, respect for the child's parents, cultural identity, language and values. It also calls for an education that aims to develop respect for the national values of the country in which the child is living and the country from which she or he may originate. It underlines that the fundamental objective of education is to prepare the child for responsible life in a free society in a spirit of understanding, peace, tolerance, equality of the sexes, and friendship among all peoples and ethnic, national and religious groups.

Discrimination and related phenomena thrive where there is ignorance, where unfounded fears of difference - including religious differences - are not confronted, and where prejudices are exploited or distorted values taught. An education that respects human rights commitments and obligations is one that challenges all aspects of discrimination and prejudice. It must do so not only through the contents of textbooks and lessons, but also through the way in which education takes place. Teachers, administrators, outside resource persons and parents should be involved together with students in the effort to ensure that both the contents and the process of education respect human rights. The inclusion of human rights in the school curricula will only succeed in promoting universal values if the classroom and the school maintain a climate based on reciprocal respect amongst students and adults. The way in which decisions are taken, conflicts solved, or discipline administered will be an essential component of a human rights-based education, beyond the content of school curricula.

In its general comment, the Committee has pointed out that implementation of article 29, paragraph 1, of the Convention on the Rights of the Child will require a variety of efforts. School curricula may need to be fundamentally reviewed, textbooks revised and school policies redesigned. Approaches that do no more than seek to superimpose respect for human rights on the existing system without encouraging deeper changes will often prove inadequate. Pre-service and in-service training schemes that promote the principles reflected in the Convention are essential if those who are expected to transmit, promote and teach human rights values are to exemplify them in their own behaviour; they must cover teachers at all levels, as well as school administrators and others involved in education. The Committee has also pointed out that, in the absence of widespread dissemination of the text of the Convention itself the initiatives that States may take to implement the Convention will be insufficiently grounded. Surveys may be needed to assess progress made by seeking the views of all actors involved in the process. The Committee has, in particular, suggested that implementation of article 29, paragraph 1, could be pursued by ensuring that any major incidents of religious or other intolerance lead to an immediate reflection on whether a Government has done all it could to promote the values reflected in the Convention. Additional measures to implement article 29, paragraph 1, should be adopted in response to any such incidents, including research and special efforts to promote whatever educational techniques may have a positive impact.

An education that respects and promotes human rights and non-discrimination is the key to avoiding the marginalization of vulnerable groups that leads to further intolerance, in a vicious circle that perpetuates injustice and often leads to tension and conflict. We must ensure that education is provided without discrimination and that, the education children receive, both in its content and as a process, is truly a human rights education, promoting the values of understanding, mutual respect and diversity. By doing so, we will be bringing to life the Convention on the Rights of the Child and the contribution that this fundamental text can make towards ensuring a brighter future for the children of today and for the adults of tomorrow.

Annex X

LIST OF DOCUMENTS ISSUED FOR THE TWENTY-NINTH SESSION OF THE COMMITTEE

CRC/C/8/Add.43	Initial report of Malawi
CRC/C/11/Add.24	Initial report of Bahrain
CRC/C/28/Add.17	Initial report of Greece
CRC/C/40/Rev.20	Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee
CRC/C/41/Add.10	Initial report of Gabon
CRC/C/41/Add.11	Initial report of Mozambique
CRC/C/61/Add.3	Initial report of Andorra
CRC/C/65/Add.13	Second periodic report of Chile
CRC/C/70/Add.8	Second periodic report of Lebanon
CRC/C/115	Provisional agenda and annotations
CRC/C/116	Note by the Secretary-General on the States parties to the Convention and the status of submission of reports
CRC/C/SR.750-777	Summary records of the twenty-ninth session